





Admiralty Office Chas. Howard

1762

EXTRACTS,

FROM THE SEVERAL

TREATIES

SUBSISTING BETWEEN

G R E A T B R I T A I N

AND OTHER

Kingdoms *and* States,

OF SUCH

ARTICLES and CLAUSES, as relate to
the Duty and Conduct of the COMMANDERS

OF

His M A J E S T Y's
S H I P S of W A R.

Henry Edmunds

THE THIRD EDITION.

L O N D O N:

Printed in the Year MDCCLVIII.

EXTRACTS

FROM THE

TREATIES

SUBMITTING

GREAT BRITAIN

Kingdoms and States



ARTICLES AND CLAUSES as relate to
the Day and Content of the Commanders

His MAJESTY'S
SHIPS OF WAR.

The Third Edition

Printed in the Year MDCCCLVII.

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Turky.

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1675.

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TREATIES

WITH

F R A N C E.



Treaty of peace and commerce between HENRY V.
England and France, concluded at *Troyes* CHARLES VI.
in *Champagne*, May 21, 1420. 1420.

*This is the first perpetual treaty made with France
after the conquest of that kingdom by Henry V.
of England.*

Article XXVIII.

IT is concluded and agreed, that hence- Peace and
amity agreed
to.
forward all diffentions, hatred, ran-
cour, enmities and wars, shall intirely
cease between the kingdoms of *Eng-
land and France*, and the people of
those kingdoms; and that, from this time and for
ever, peace, tranquillity, concord, mutual affection,
B and

and firm friendship, shall subsist and flourish between the said kingdoms and their subjects: and the said kingdoms shall be assisting to each other in council, and mutual aid, against any persons whatever, who shall do, or attempt to do, any violence, injury or damage, to either of the said kingdoms: and the subjects of each kingdom shall have mutual intercourse and trade together, freely and securely, on condition, that they pay the usual duties and customs.

The subjects of each kingdom to have a mutual intercourse and free trade.

HENRY VIII
FRANCIS I.
1515. Treaty of Peace and Commerce between
England and France, concluded at *Westminster*, April 5, 1515.

After several temporary treaties between the two nations, peace and commerce were at length confirmed by this perpetual treaty.

Article XXI.

Commerce and intercourse as at the time of the last peace.

AS to what concerns the mutual commerce and intercourse of merchandises between the subjects of both kingdoms, the said subjects shall in all things esteem and treat one another in the same manner, as they were obliged to do at the time of the last peace.

Treaty



Treaty of peace, between *England* and HENRY VIII
FRANCIS I.
France, concluded at the camp between 1546.
Ardres and *Guines*, June 7, 1546.

Article III.

THAT all and singular the vassals and subjects of both the said princes, and of their heirs and successors, whether they are princes, archbishops, bishops, dukes, marquisses, earls, barons, or merchants, or of what state or condition so ever, shall, during the said peace, behave themselves in all places in the most kind and friendly manner, performing all mutual good offices towards each other; and may freely, safely and securely, without the hinderance of any one, and without any safe-conduct or licence, travel in all places by land or by sea, or on fresh waters; and sail and come into any of the ports, dominions, and districts whatever of both the said princes, their heirs and successors; provided they do not exceed the number of an hundred armed men together; and may abide there as long as they please, trade, buy and sell all goods, merchandises and jewels whatever, if not prohibited by the laws and ordinances of the said kingdoms respectively; and may freely depart from thence to their own countries, or elsewhere, at their pleasure, and as often as they please, with their own, or hired, or borrowed vessels, carriages, horses, armour, merchandise, baggage, goods and things whatever, without any impediment,

Peace and
amity esta-
blished.

Free navi-
gation to all
ports, and
commerce
in all mer-
chandises,
not prohibi-
ted by the
laws of ei-
ther king-
dom.

pediment, molestation or arrest, by reason of any marque, countermarque, or reprisals, or other distress whatever, as well upon land as upon sea, and in fresh waters; in the same manner as they lawfully might, by virtue of antient treaties and alliances.

This last recited general article of commerce and free intercourse is inserted almost verbatim in the four temporary treaties of 1478, 1483, 1492, and 1514; also in the treaty of perpetual peace and commerce concluded at Moore in 1525, and in the subsequent treaties of 1549-50, 1559, and 1564.

ELIZ.
CHARLES
IX.
1572.

Treaty of alliance between *England* and *France*, concluded at *Blois*, April 29, 1572.

Article I.

Preceding
treaties and
alliances
confirmed.

NO articles or agreement, contained in this present treaty, shall be deemed to intend or imply a departure from preceding treaties or alliances formerly entered into by their majesties, or their predecessors, but they shall, notwithstanding, remain in their full force, virtue and vigour, so far as they are not contrary or repugnant to this present treaty, or any articles therein contained.

Treaty

Treaty of alliance between *England* and <sup>ELIZ.
HENRY IV.</sup>
France, concluded at *Greenwich*, May 1596.
14, 1596.

Article I.

ALL former alliances and treaties, which have <sup>Former treat-
ties confirm-
ed.</sup> been in force till this present time, between the queen of *England* and king of *France*, and their kingdoms, shall be confirmed, and remain in their former force and vigour; and it shall not be thought, that they are departed from in any point, but only so far as this present treaty shall change or derogate from them.

Treaty of commerce between *Great Britain* <sup>JAMES I.
HENRY IV.</sup>
and *France*, concluded at *Paris*, May 1606.
26, 1606.

Article I.

IT is agreed, that the preceding treaties shall not <sup>Preceding
treaties con-
firmed.</sup> in any way be thought to be departed from by any article or matter contained in this present treaty, but they shall remain in their full strength, force and vigour, excepting only so far as any thing is derogated from them by this present treaty.

Article

Article XIV.

Commerce.
to be main-
tained in it's
present state.

It is agreed, that the liberty of commerce shall be maintained in the state, in which it is at present on both sides, as well of goods manufactured, as not manufactured, according to the present and preceding treaties; nor shall it be lawful on either side to make any prohibitions against trade, excepting always contraband goods, the transportation of which has been in all times, and is to this day, prohibited and forbidden by the laws of both kingdoms.

JAMES I.
LEWIS XIII.
1610.

Treaty of alliance between *Great Britain* and *France*, concluded at *London*, August 29, 1610.

Article I.

Preceding
treaties con-
firmed.

IT is agreed, that by any of the compacts, conventions, articles or points, contained in this treaty of alliance and union, it is not meant in any sort to depart from the preceding treaties and alliances, made between the said kings or their predecessors, but that notwithstanding they shall remain in their full force and vigour, provided they are not contrary or repugnant to this present treaty of union, or any articles contained therein.

Article

Article XXXIII.

That all the goods, which shall be taken by the captains, and other officers of the one or the other prince, from pirates, shall be brought respectively to some port of the one or the other kingdom, and there put under good and safe custody of the admiral, vice-admiral, or other officers of the said ports; which officers shall be bound to answer for the said goods in their own name.

Goods taken from pirates to be brought into port, and put into safe custody.

Article XXXIV.

That all the goods, which shall be thus taken and recovered from pirates, whether they are in gold or silver money, or other merchandises appertaining to the subjects of either of the said kings, shall be rendered and restored to the true owners and proprietors, without any delay, they having first made legal proof of the property thereof.

Such goods to be restored to the owners, being subjects of either Party.

Treaty of peace between *Great Britain* and *France*, concluded at *Susa*, April 24, 1629.

CHARLES I.
LEWIS XIII.

Article I.

THE two kings shall agree to renew the antient alliances between the two crowns, to preserve them inviolably, and to open a safe and free commerce.

Antient alliances to be renewed, and a free commerce opened.

Article

Article V.

Antient alli-
ances to re-
main in
force.

All the antient alliances, as well of the one as of the other crown, shall remain in force, without any alteration made by the present treaty.

The declaration of the king of France, for the re-establishment of commerce with England, being a sequel and part of the said treaty of 1629.

Sure and free
commerce
for the fu-
ture.

LEWIS, king of *France* and *Navarre*, to all, &c. Although by the publication, which we have already ordered to be made through our kingdom and dominions, of the peace settled between us and the king of *Great Britain*, it is expressly signified, that trade and commerce shall for the future be safe and free, between our subjects and his, by sea and land, as it was before the last war, nevertheless we have thought it proper to dispatch our express letters of declaration; and we do say and declare by these presents, signed with our own hand, that our will and intention is, that for the future there be a sure and free commerce and trade, both by sea and land, between our subjects and those of the king of *Great Britain*: we will, ordain, and it is our pleasure, that upon this account they may have all safe and free access to our ports, harbours and towns, and may bring there all sorts of merchandises, sell, truck, and exchange the same, buy and transport other merchandises of our kingdoms, except such as are prohibited by our orders, all in the same manner as they did

did before the wars, notwithstanding any prohibitions formerly made by us to the contrary, which we have removed and taken away, and do remove and take away, in favour of the said treaty of peace.

Treaty of commerce between *Great Britain* and *France*, concluded at *St. Germain en Laye*, March 29, 1632.

CHARLES I.
LEWIS XIII.
1632.

Article III.

FOraasmuch as under the pretext of search or visit, which may be made by the ships of war of the one or the other prince, or their subjects, at sea, of merchant-ships, to know whether they are laden with merchandises prohibited, or belonging to the enemy, there have been several outrages committed in time past, which have, without any lawful cause, hindered the course of the said ships, and occasioned many other great damages to merchants; to obviate such inconveniencies, it has been agreed, that such ships of war, happening to meet such merchant-ships at sea, may order them to strike, which the said merchant ships shall be obliged to do; and to present their licences, commissions, and bills of lading, to the captains, or such as they shall send on board the said merchant-ships, into which more than two or three at most may not enter, nor exact or take any duties under pretext of such visit; which done, if those of the said ship of war will not forbear, notwithstanding,

Merchant-ships to strike to ships of war, and present their commissions and bills of lading.

withstanding, to stop the voyage of the said ships, either by carrying them along with them, or obliging them to go aside out of their course, the said people belonging to the ship of war shall in that case be answerable for all the expenses, damages and interests, and besides be punished corporally, according as the quality and circumstances of the fact shall require; for which expenses, damages and interests, not only the delinquents shall answer, but likewise those, who furnished them with arms and provisions, and put them to sea.

Not to be
taken out of
their course.

Article V.

Books and
papers of
ships taken
to be laid be-
fore the judge
of the admi-
ralty.

The captains, lieutenants, and masters of ships, who shall take any prize, shall be obliged, within twenty four hours after their arrival, to lay all the books of accounts, papers, licences, commissions, and bills of lading, which they shall find in the ships they take, before the judge of the admiralty, or his clerk, that so the parties interested may take copies thereof for their use; and, where there is no judge of the admiralty, the said papers and bills of lading shall be put into the hands of the king's officers to be sent, closed up and sealed, to the judge of the admiralty.

Article VI.

Officers of a
prize-ship to
be examined
before the
judge of the
admiralty —

In like manner the said captors shall be obliged to bring along with them the persons, whom they found in the said ships, or at least the captain and master, or two or three of the principal officers, and present them within twenty four hours to the judge of the admiralty

admiralty to be examined; and in case there is no judge of the admiralty, before the mayors of the towns, or the king's officers: and they may not hold or keep them prisoners in their houses beyond that time, on pain of being punished, and losing the prize; and, after the said prisoners shall have been heard and examined, the said judges shall be obliged to set them at liberty, to follow their affairs as they shall think good.

or before the mayor, where there is no judge of the admiralty —

and shall then be set at liberty to follow their affairs.

Article VII.

When any prize-ships are brought into harbours or ports, the mariners and seamen belonging to them shall not be forced away from their said ships, nor any of their goods put on shore, without a previous order from the judge, and an inventory made by him or his deputies, in presence of the principal persons concerned, to whom a copy shall be delivered from the said judge.

Men or goods not to be taken from on board a prize-ship without an order from the judge.

Article VIII.

By these present articles the said kings do not mean to derogate from preceding agreements and treaties, made between them, which shall remain in their force and virtue, but only so far as shall be derogated from them by these presents; and particularly that the treaties of 1606, and 1610, shall be duly and faithfully executed.

Preceding treaties to remain in force.

Treaties of 1606 and 1610 particularly confirmed.

CHARLES I.
LEWIS XIV.

1644.

Act of the oath taken by *Lewis XIV.* king of *France*, and by the queen regent, his mother, by which they confirm all former treaties made with *Great Britain*, dated at *Ruel*, July 3, 1644.

Treaties of
1606, 1610,
1629, and
1632 con-
firmed.

WE *Lewis*, king of *France* and *Navarre*, do swear, on the faith and word of a king, and promise, our hands touching the holy gospels, in the presence of lord *Goring*, ambassador extraordinary, specially appointed and sent for this purpose by the most high, most excellent, and most mighty prince *Charles*, king of *Great Britain*, that we will observe and fulfil all and singular the points and articles, which have been agreed to and established by the treaties, made and concluded by the kings our predecessors between our respective kingdoms, states, countries and subjects, and more especially by those made in the years 1606, 1610, 1629, and 1632; in such manner as they have been established and ratified, and according as they shall be found to derogate the one from the other: which treaties and articles we have approved and confirmed, and do now swear and promise in most solemn manner, that we will observe the same, and never contravene any points or articles of the said treaties, directly or indirectly; we will also, to the utmost of our power hinder the same from being violated in any manner. Moreover we promise to repeat the present oath, when
we

we shall have attained the age of majority, and shall be duly required so to do.

And we *Anne*, queen regent of *France* and *Navarre*, having likewise on our part, as far as in us lies, agreed to, approved and ratified the said treaties, do now, by virtue of our oath, confirm and promise a due observance of the same, and that they shall not be contravened in any sort: and we will cause the aforesaid oath, which the king takes at present, to be by him taken again in due form, when he shall attain to the age of majority.

Treaty of peace between *Oliver Cromwell* OL. CROM. Protector. protector of the republick of *England* LEWIS XIV. and the king of *France*, concluded at *Westminster*, November 3, 1655.

Article I.

THAT the people and subjects of both nations may safely and freely frequent the roads and harbours of each other, as they shall think fit, without any damage or injury. Free navigation in the roads and harbours of either nation.

Article IV.

That commerce shall be intirely free between the republick of *England* and kingdom of *France*, and their people and subjects, by land and by sea, and on the fresh waters, through all and singular the countries, dominions, territories, provinces, cities, towns, Free navigation and commerce in Europe.

towns, villages, and all other places throughout *Europe*, where commerce and trade have been usually carried on; so that without any letters of safe-conduct, or application for any general or special licence whatever, the people and subjects of the said two nations shall freely pass and repass, by land, sea, or on the fresh waters, to the said countries, kingdoms, and dominions, and to all the cities, harbours, shores, stations, and straits, and may enter all the places and harbours of either, with their ships laden or unladen, and with carriages, and beasts of draught or burden, which are usually employed in carrying merchandises; and may there buy and sell what they please, paying only the market price in such places for such necessities as they may want, either for their provision or their voyage; and may likewise, as occasion shall require, rig their ships, and repair their carriages: and it shall be equally free for them to return to their own country, or to go to any other places at their own discretion with their merchandise, goods, or any other effects whatever, without molestation; provided they pay the due customs and port-duties to the other party, and a proper regard is likewise had to all the laws and ordinances of the country.

Each party
to pay the
usual customs
and port-
duties to the
other.

Article XVI.

Sea-com-
manders of
either party
not to injure
or damage
the ships or
merchandises
of the other,

Both parties shall strictly command the admirals and commanders of their fleets, and all other their sea captains whatever, either carrying their flags, or bearing commissions from them, or acting in their service, not to seize, take, or in any manner to obstruct

struct or damage the ships, vessels, goods, or merchandise of the people or subjects of the other, but that they diligently observe this treaty and convention; and all contraveners shall make satisfaction to the party concerned, by suffering corporal punishment according to the nature of the offense, and by making reparation for the damage done by them, if they are able; but, if they should not be able, then that confederate, to whom the offenders belong, shall satisfy and repair the damage, within three months after knowledge thereof and satisfaction demanded; and all ships of war, meeting any merchant-ships of either party, shall protect them, while they keep the same course, against all, who shall offer them any violence.

on pain of
making resti-
tution and
suffering cor-
poral punish-
ment.

Article XVII.

If the commanders of any ships belonging to either party, or to their people, shall take any prize at sea, they shall, within twenty four hours after their coming into port, deliver all the books of accounts, papers, cockets, and bills of lading, which they shall have found in such prizes, to the judges of the admiralty, to the intent that any person interested may take copies of the same; and, where there shall be no judge of the admiralty, the said papers and books shall be delivered to the officers of such places, who shall send the same, sealed up, to the judges of the admiralty; during which, the mariners on board the prize-ships shall not be taken out, nor any part of the cargo touched, nor any of the goods set on shore, unless by the

All books
and papers
of a prize-
ship to be
delivered to
the judge of
the admi-
rality.

the authority of the court of admiralty; and a schedule shall be made of all the goods in the presence of those, whom it concerns, who shall also have a copy of the said schedule from the judge.

Article XVIII.

No officer or mariner of a prize-ship to be taken out of her, but in order to be examined.

That the commanders and captains of any ships, which shall take any prize at sea, shall not take out of her the captain, master, or any mate or mariner, unless for the purpose of examining them; and in that case they shall not take out above two or three, who shall be carried within the space of twenty four hours before the judge of the admiralty; or, if there is no such judge in the place, before the magistrate or officers of the place, who shall examine them; and, such examination being finished within the same space of time, the said judge or magistrate shall dismiss them freely, every one to their own business: all contraveners hereto shall suffer corporal punishment.

Article XIX.

Pirates not to be harboured, but pursued and punished.

That neither of the confederates shall receive any pirates or robbers into any of their ports, havens, cities or towns; nor shall they permit them to be received by their people or inhabitants, or to be harboured, assisted, or supplied; but shall use their endeavours, that such pirates and robbers, and their piratical accomplices, parteners and assistants, shall be pursued, apprehended, and duly punished, for a terror to others; and that all ships, goods and merchandise,

Ships and merchandise, piratically taken, to be restored.

chandise, piratically taken by any such, and brought into the ports of either confederate, (or as much as can be found thereof,) although they have been already sold to others, shall be restored to the right owners, or satisfaction made for the same to the owners, or to those, who shall lay claim to the same by virtue of letters of attorney; provided the right of the owners shall appear from due proofs according to law in the court of admiralty: and whatever goods shall be recovered, shall be carried into the ports of either confederate, and be delivered to the custody of the officers of the port, who shall be responsible for the same, if the said goods are not restored without delay to their owners, after proof first made of the true property thereof before the judges of those places, where the goods taken by the pirates were first shipped; nevertheless all persons accused shall be allowed to try their right by law, and to make their defense.

Article XXII.

That the people and inhabitants of the republick of *England* may freely and securely sail and traffick in all the kingdoms, dominions and territories, which cultivate peace, friendship, or neutrality with them; nor shall they be in any manner molested by the ships or subjects of *France*, although there should be enmity and hostility between *France* and the said kingdoms, dominions and territories, or any of them. And the same shall likewise be observed on the part of the said republick of *England* toward the subjects and inhabitants

Free commerce for the subjects of one party with all nations in friendship, though such nations may be at war with the other:

except to
places be-
sieged, and in
contraband
goods.

bitants of *France*, provided, that such trade be not carried to any port or town, which is besieged by either of the confederates; and that neither party, nor the people or subjects of either, shall import any prohibited and contraband goods to those kingdoms, dominions, or territories, which are at enmity or war with the other.

Article XXVI.

Six months
allowed to
the subjects
on both sides
for selling
and trans-
porting their
effects in case
of a war.

For the better promoting of commerce on both sides, it is agreed, that, if a war should break out between the said two nations of *England* and *France*, six months, after the proclamation of war, shall be allowed to the merchants, in the cities and towns where they live, for selling and transporting their goods and merchandise; and, if any thing is taken from them, or any injury is done them, within that term by either party, or the people or subjects of either, full satisfaction shall be given them.

CHARLES II.
LEWIS XIV.
1667.

Treaty of peace between *Great Britain* and *France*, concluded at *Breda*, July 21, 1667.

Article II.

Hostilities to
cease for ever
by sea and
land.

ALL enmities, hostilities, discords and wars, shall cease and be for ever abolished between the two kings; so that they shall for the future forbear to pillage

pillage or injure each other ; nor shall they molest or incommode one another in any manner, either by sea or land, or on rivers, in any part of the world, especially within the extent and limits of their own kingdoms, lands, dominions, or places whatever.

Article IV.

Navigation and commerce shall be free between the subjects of both the kings, as it was heretofore during the peace, and before the declaration of the last war ; so that they may freely, and without molestation, go with their goods into each other's kingdoms, provinces, places of commerce, ports and rivers, and there abide and traffick.

Free navigation and commerce as heretofore during the peace.

Article XVIII.

If it should come to pass (which God forbid) that misunderstandings and enmities should again arise between the two kings, so as to proceed to open war, the ships, goods, and other moveables, of either of the parties, which shall happen to be in any of the ports and places belonging to the adverse party, shall not be confiscated or damnified ; but the term of six whole months shall be allowed to the subjects of both the said kings, during which they shall be permitted, without let or molestation, to carry away and withdraw all their goods and effects whithersoever they please.

Six months allowed to the subjects on both sides to withdraw their effects in case of a war.

CHARLES II.
LEWIS XIV. Treaty of commerce between *Great Britain*
1676-7. and *France*, concluded at *St. Germain en*
Laye, February 24, 1676-7.

Preamble.

Freedom and
security of
commerce.

AS the kings of *Great Britain* and *France* have no greater desire than to renew and strengthen the friendship, which is between the said kings. and the faithful and sincere union and correspondence, which subsist between their kingdoms and subjects; their majesties believed, that nothing could more contribute thereunto, than a new treaty for the freedom and security of commerce; and they have to this end named plenipotentiaries, who have agreed upon the following articles.

Article I.

That the
subjects of
France may
enjoy free
navigation
and com-
merce with
all nations
in amity with
them, tho'
such nations
may be at
war with
England.

All the subjects of the most *Christian* king may sail, trade, and use all kind of traffick with full freedom and security in all the kingdoms, countries and territories, which now are or hereafter shall be at peace or in neutrality with the said most *Christian* king, without being hindered or molested by the ships of war, or any other ship, belonging to the king of *Great Britain* or his subjects, upon the account or under pretence of any war or hostility, now subsisting, or which may hereafter subsist between the said king of *Great Britain*, and any other princes or states, which

which now are or hereafter may be at peace and neutrality with the said most *Christian* king: and reciprocally all the subjects of the king of *Great Britain* may navigate, negotiate, and carry on all manner of traffick, with full freedom and security, in all the kingdoms, countries, and states, which now are or hereafter shall be at peace and neutrality with the said king, without being disturbed or molested by any ships of war or other ships whatever, appertaining to the most *Christian* king or his subjects, upon account or under pretence of any war and hostility now subsisting, or which hereafter may subsist between the most *Christian* king, and any other princes or states, which now are or hereafter may be at peace or neutrality with the said king of *Great Britain*. The same for the subjects of Great Britain.

Article II.

Trade may be carried on during a war with all the same merchandises as in time of peace; but with an exception of all contraband goods, as explained in the following article. Contraband goods excepted.

Article III.

Goods prohibited and contraband are cannon and their furniture, fire-arms, powder, match, bullets, pikes, swords, lances, halberts, partizans, bombs, mortars, petards, granadoes, musket-stocks, bandeliers, saltpetre, ball, head-pieces, shields, cuirasses, and the like armour: under the same name likewise the transporting Contraband goods specified.

transporting of soldiers, horses, harnesses, pistol-stocks, belts, and other things appertaining to and used in war, is prohibited.

Article IV.

What goods
are not con-
traband.

To and from
what ports
goods not
contraband
may be car-
ried.

The following merchandises are not to be comprized in the number of prohibited and contraband goods, *viz.* woollen, linnen, silk, cotton, or any other stuffs and manufactures whatever; all sorts of cloaths and dresses made of stuffs or any other matter, gold or silver coined or uncoined, tin, iron, lead, copper, coal, corn, barley, and other grain and pulse; tobacco, spices, salted and dried flesh, dry and salt fish, cheese, butter, beef, oil, wine, sugar, salt, and every thing appertaining to the nourishment and support of life; also cottons, hemp, flax, pitch, cordage, sails, anchors, masts, boards, logs, and wood wrought of any sort of trees, which may serve for building ships, or the repair of them; but the said commodities shall remain free, as well as all others in general, which are not comprehended in the preceding article, in such sort, that the subjects of the most *Christian* king may not only transport the same from one neutral place to another neutral place, or from a neutral place or port to any other belonging to an enemy of the king of *Great Britain*; or lastly, from a place, belonging to an enemy, to a place which is neutral, but also from one port or place, belonging to the enemy of the said king, to another likewise belonging to his enemy, whether these ports or other places are under the obedience of one prince

or

or state, or of several princes or states, with one or all of which the king of *Great Britain* may be at war. The subjects of the king of *Great Britain* may reciprocally transport the said merchandises not only from one neutral place to another neutral place, or from a neutral place or port to any other belonging to an enemy of the most *Christian* king; or lastly, from a place, belonging to an enemy, to any other neutral place, but also from a port or other place, belonging to the enemy of the said king, to another likewise appertaining to his enemy, whether these ports or places are under the obedience of one prince or state, or of several princes or states, with one or all of which the said most *Christian* king shall be at war: nevertheless such things must not be carried at all to towns or places besieged, blocked up, or invested.

. Article V.

In order to terminate all differences, which may arise, either by sea or land, it has been agreed, that the ships or other vessels, belonging to the subjects of the most *Christian* king, which shall enter into the havens or ports of the king of *Great Britain*, and would proceed elsewhere from thence, shall not be detained any longer than to produce and exhibit their passports or sea-briefs, (the form of which is annexed to this treaty,) to the officers of the said king, or to the commanders of any ships of war belonging to the king of *Great Britain* or any privateers, if any such there should be in the said ports or havens, so as the
said

Ships of either nation, producing passports in proper form, are not to be detained.

said commanders shall not exact or demand any money or other thing whatever on that account. If any ships or other vessels appertaining to the subjects of the most *Christian* king are met with on the open sea, or in such places as are not under the dominion of the king of *Great Britain*, by the ships of war of the said king, or others fitted out by his subjects, the said ships, keeping at a reasonable distance off, may send their boats on board such ships or vessels of the subjects of the most *Christian* king, and put two or three men only on board, to the end, that the master or owner may exhibit to them his passport, after which they shall freely pass, without being any way molested, searched, stopped, or forced to alter their course.

The subjects of the king of *Great Britain* shall enjoy the same freedom and immunities, upon producing their passports, according to the form before mentioned.

Article VI.

Ships of one party, going to places at enmity with the other, to shew certificates as well as passports.

If any vessel or bark, belonging to the subjects of the most *Christian* king and passing to a country at enmity with the king of *Great Britain*, is met in her passage by a ship of war; in like manner, if a ship, appertaining to the *English* or other subjects of the king of *Great Britain*, is met going toward a port belonging to an enemy of the most *Christian* king, it shall not be sufficient to exhibit her passports, but certificates must also be produced in due and authentick form from the officers and searchers of

F R A N C E.

of the customs, of such vessel or ship going out of the port, which she came from, and containing an account of all her cargo, to the end, that it may be known, whether there are any contraband goods on board, and such as are particularized in the third article of this treaty.

Article VII.

If by producing the said certificates it is found, that there are contraband goods on board a ship, consigned for an enemy's port, yet it shall not be allowable to go under the deck of such ship, nor to open or break any chests, bales, casks, or tuns, nor take the least thing out of her, till she is brought into port, where a just inventory shall be taken in the presence of the custom house officers; and no one thing shall be sold or bartered, till after a fair trial before the judge of the admiralty court, and till a sentence is passed for the confiscation of such goods; in which confiscation nevertheless the hulk of the vessel and the lawful merchandise on board her shall not be comprized, nor may such lawful merchandise be detained, and much less be declared good prize, on account of the said contraband goods. If the vessel is laden but in part with contraband goods, and the master thereof offers to put them into the captor's hands, the captor shall not then oblige him to go into any port, but shall suffer him to continue his voyage.

Contraband goods not to be sold, till sentence has passed.

Lawful merchandise not to be condemned on account of unlawful.

The ship to go free on delivery of the contraband goods.

F R A N C E.

Article VIII.

Merchan-
dises, found
in the Ships
of an enemy,
are to be for-
feited, tho'
they are not
contraband.

Free ships
make free
goods, con-
traband ex-
cepted.

Merchandises appertaining to the subjects of the most *Christian* king, which shall be found on board ships, belonging to the enemies of the king of *Great Britain*, shall be liable to forfeiture, tho' they are not contraband; and, on the contrary, the goods of the enemies of the king of *Great Britain* shall not be taken or confiscated, if they are found on board any ships appertaining to the subjects of the most *Christian* king, altho' the said goods make up the best part of the whole lading of such ships; but still with an exception of all contraband, which, when taken, shall be disposed of in the manner directed by the preceding articles. In like manner, all merchandises, belonging to the subjects of the king of *Great Britain*, which are found on board any ships belonging to the enemies of the most *Christian* king, shall be liable to confiscation, tho' they are not contraband; and, on the contrary, any merchandises of the enemies of the said most *Christian* king shall not be taken or confiscated, if they are found on board any ships, appertaining to the subjects of the king of *Great Britain*, tho' the said merchandises make up the best part or the whole of the lading of the said ships; but still with an exception to contraband goods, which, when taken, shall be disposed of in manner as in the preceding articles mentioned. And in order to prevent any future war from proving injurious or prejudicial to the subjects of either party, which shall continue in peace, it is agreed, that the ships

ships of any new enemy, laden with effects and merchandises belonging to the subjects of the other party, which shall be at peace, shall not make such merchandises liable to confiscation, if the ships have been laden therewith before the end of the term hereafter specified, which term shall be six weeks after the declaration of the war, between the *Soundings* and the *Naz* in *Norway*; two months between the *Soundings* and *Tangier*; two months and an half in the *Mediterranean*; and eight months in all other parts of the world: so that the effects of the subjects of the most *Christian* king, taken in the vessels of any new enemy of the king of *Great Britain*, may not be confiscated upon that account; but shall forthwith be restored to the owners, unless such effects have been put on board the said ships, after the expiration of the respective terms abovementioned; however contraband goods, which likewise in such case are not liable to confiscation for the reasons aforesaid, must not be carried into an enemy's port. And reciprocally the effects of the subjects of the king of *Great Britain*, taken on board the ships of any new enemies of the most *Christian* king, shall not be confiscated upon that account, but shall forthwith be restored to the owners, unless they have been put on board after the end of the respective terms before specified; nevertheless contraband goods, which shall not be liable to confiscation for the aforesaid reasons, must not be conveyed into an enemy's port.

Times and distances settled, within which no *English* or *French* goods, laden in an enemy's ship, shall be confiscated.

Contraband goods, tho' not liable to confiscation, are not to be carried into an enemy's port.

Article IX.

The ships of war, and privateers of either nation, not to injure the merchant ships of the other.

And, that the subjects of both nations may be under no apprehensions from ships of war, their majesties shall give most strict orders and injunctions to all captains of ships, and all privateers, that they do no injury or damage to the merchant-ships, under pain of the most severe punishment, and of being also obliged to make full restitution and reparation of all damage to those, whom they shall have wronged.

Article XIV.

Torture prohibited under the most severe penalties.

Whereas it sometimes happens, that the ships, which take prizes in time of war, treat the masters, pilots, and passengers of the vessels taken very inhumanly, in order to extort from them such confession and declaration, as they desire, it is agreed, that their majesties shall prohibit such treatment under the most severe penalties, and shall cause all such, who shall be convicted thereof, to be punished according to their demerit, and in such a manner as may deter others from doing the like: and all captains and officers, who shall be found guilty of such barbarities and violent doings, whether committed by themselves, or by them caused or suffered to be committed, shall forthwith be cashiered: and they shall also be proceeded against according to the heinousness of the crime: and every vessel taken, of which the mariners and passengers shall have been ill

ill used, shall be released and set at liberty with her cargo, without any farther examination or proceeding, judicially or otherwise.

American treaty of peace, good correspondence, and neutrality, between the crowns of *Great Britain* and *France*, concluded at *London*, November 16, 1686.

JAMES II.
LEWIS XIV.
1686.

Article I.

THAT, from the day of this present treaty, there shall be, between the *French* nation and the *English* nation, a firm peace, union, agreement, and good correspondence, as well upon sea as upon land, both in the *Northern* and *Southern America*, and in the islands, colonies, forts, and towns (without exception of places) belonging to the dominions of his *Britannick* majesty, and of his most *Christian* majesty, and under the jurisdiction of the governors of their said majesties respectively.

Article II.

That no ships or vessels, great or small, belonging to the subjects of his most *Christian* majesty, shall be fitted out or employed in the said islands, colonies, fortresses, towns and governments, belonging to his most *Christian* majesty, to attack the subjects of his

Ships not to be fitted out in the dominions of either power to attack the other.

Britannick

Britannick majesty in the islands, colonies, fortresses, towns and governments, belonging to his said *Britannick* majesty, or to do them any injury or damage: and, in like manner, no ships or vessels, great or small, belonging to the subjects of his *Britannick* majesty, shall be fitted out or employed in the said islands, colonies, fortresses, towns and governments of his said majesty, to attack the subjects of his most *Christian* majesty in the islands, colonies, fortresses, towns and governments of his said majesty, or to do them any injury or damage.

Article III.

Soldiers and subjects of one party not to injure those of the other; or assist the *Indians* against them.

That no soldiers, armed men, or any others whatever, inhabiting and living in the said *English* islands, colonies, forts, cities and governments, or who may come out of *Europe* to be in garrison there, shall commit any act of hostility, or do any injury or damage, directly or indirectly, to the most *Christian* king's subjects in the said *French* islands, colonies, forts, cities, and governments: neither shall they give any assistance, or supplies of men or victuals, to the barbarous or wild *Indians*, with whom the most *Christian* king shall hereafter be at war. In like manner no soldiers, armed men, or any others whatever, inhabiting or living in the said *French* islands, colonies, forts, cities, and governments, or who come out of *Europe* to be in garrison there, shall commit any act of hostility, or do any injury or damage, directly or indirectly, to the king of *Great Britain's*

Britain's subjects in the said *English* islands, colonies, forts, cities, and governments; neither shall they give any assistance or supplies of men or victuals to the barbarous wild *Indians*, with whom the king of *Great Britain* shall be at war.

Article IV.

That both kings shall have and retain to themselves all the dominions, rights and pre-eminences, in the *American* seas, roads, and other waters whatever, in as full and ample an extent, as of right belongs to them, and in such manner as they now possess the same.

Article V.

And therefore the subjects, inhabitants, merchants, commanders of ships, masters and mariners, of the kingdoms, provinces and dominions of each king respectively, shall abstain and forbear to trade and fish in all the places possessed, or which shall be possessed, by one or the other party in *America*, viz. the king of *Great Britain's* subjects shall not carry on their commerce and trade, nor fish in the havens, bays, creeks, roads, coasts or places, which the most *Christian* king holds, or shall hereafter hold in *America*: and, in like manner, the most *Christian* king's subjects shall not carry on their commerce and trade, nor fish in the havens, bays, creeks, roads, coasts or places, which the king of *Great Britain* possesses, or shall hereafter possess in *America*; and, if any ship

Subjects of either king not to trade or fish in the dominions or on the coasts of the other.

Ships found
so trading or
fishing are to
be confisca-
ted.

The party
aggrieved
may apply to
the privy
council.

Liberty of
navigation
not to be dis-
turbed.

ship or vessel shall be found trading or fishing, contrary to the tenor of this treaty, and proof thereof hath been legally made, the said ship or vessel, with it's lading, shall be confiscated; nevertheless the party, who shall find himself aggrieved by such sentence of confiscation, shall have liberty to apply to the privy council of that king, by whose governors or judges sentence was pronounced against him, without stopping the execution of the sentence upon that account; but it is always to be understood, that the liberty of navigation ought in no manner to be disturbed, where nothing is done contrary to the genuine sense of this treaty.

Article VI.

All ships and
subjects of
either power,
being forced
by necessity
into the ports
of the other,
are to be well
received and
supplied.

That in case the subjects and inhabitants of either of the kings, with their shipping, (whether publick and of war, or private and of merchants) are forced through stress of weather, pursuit of pirates, or enemies, or any other urgent necessity, for safety to retreat and enter into any of the rivers, creeks, bays, havens, roads, ports, or shores, belonging to the other party in *America*, they shall be received and treated there with all humanity and kindness, and enjoy all friendly protection and help; and they shall be permitted to refresh and provide themselves at reasonable and usual rates with victuals, and all things needful for the sustenance of their persons, or the reparation of their ships, that they may be enabled to continue their voyage; and they shall no way be detained

detained or hindered from returning out of the said ports or roads, but may remove and depart, when and whither they please, without any lett or hindrance; and they shall not be obliged to unload their cargo, or to carry out and expose to sale any of their goods or merchandises; and likewise, on their part, they shall not take in any merchandises on board their vessels, nor employ themselves in fishing, under the penalty of the confiscation of their ships and goods, as in the foregoing article is expressed; and it is farther agreed, that, whenever the subjects of either king shall be forced to enter with their ships into the ports of the other, they shall be obliged at their coming in to hang out the flag or colours of their nation, and to give notice of their arrival by three discharges of a musket; in default of which, and of sending their boat on shore, they shall be liable to confiscation.

Shall not be obliged to unload and expose their merchandise to sale.

Shall not take in any merchandise, or employ themselves in fishing.

Must hang out the colours of their nation, and give notice of their arrival.

Article VII.

If any ships, belonging to either of the kings, their people, or subjects, shall, within the coasts or dominions of the other, be cast on shore, or be wrecked, (which God forbid) or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof, and letters of safe-conduct shall likewise be given to them, that they may return to their own country in safety, and without molestation.

Ships stranded, wrecked, or in danger, are to be assisted.

Article VIII.

Three or
four ships,
forced into
a port toge-
ther, not to
stay longer
there, than
allowed.

When it shall happen, that the ships of either party (as abovementioned) being driven through danger of the sea, or other urgent cause, into the ports of the other, and being three or four together, may give just ground of suspicion, the commander shall immediately upon their arrival acquaint the governor or chief magistrate of the place with the cause of their coming, and shall stay no longer a time than the said governor or chief magistrate will allow, and shall be requisite for supplying themselves with provisions, and repairing their ships.

Article X.

The wild in-
habitants, or
goods taken
by them, not
to be har-
boured.

The subjects of either nation shall not harbour the barbarous or wild inhabitants, or the slaves or goods, which the said inhabitants shall have taken from the subjects of the other nation, neither shall any assistance or protection be given them in their said depredations.

Article XI.

Neither par-
ty to molest
the other.

The governors, officers, and subjects of either king, shall not in any way molest or disturb the subjects of the other in settling their respective colonies, or in their commerce and navigation.

Article

Article XII.

And the more to assure the subjects of the king of *Great Britain*, and of the most *Christian* king, that no injury shall be offered them by the ships of war or privateers on either side, all the captains of the ships of war of his majesty of *Great Britain*, as also of the most *Christian* king, and all their subjects, who fit out privateers, and likewise their privileged companies, shall be enjoined not to do any injury or damage whatever to the subjects of the other nation; and, if they do, they shall be punished, and be moreover compelled to satisfy all costs and damages, as well by seizure of their goods, as by the imprisonment of their persons.

Ships of war, or privateers on either side, to do no injury or damage.

The party injuring to be punished, and obliged to make restitution.

Article XIV.

And, whereas several pirates, roving up and down in the *American* seas, as well *Northern* as *Southern*, do much damage to trade, and molest the subjects of both crowns in their navigation and commerce in those parts, it is agreed, that strict orders shall be given to the governors and officers of both kings, that they give no assistance or protection to any pirates, of whatever nation they are, nor suffer them to have any retreat in the ports or roads of their respective governments; and the said governors and officers shall also be expressly commanded to punish, as pirates, all such, who shall fit out any ship or ships, without lawful commission and authority.

Pirates not to be assisted or protected.

Article XV.

The subjects
of either
king, taking
commissions
as privateers
from any
power at war
with either
party, shall be
punished as
pirates.

No subjects of either king shall apply for or take any commission or letters of mart for arming any ship or ships to act as privateers in *America*, whether *Northern* or *Southern*, from any prince or state, with which the other shall be at war; and, if any person shall take such commission or letters of mart, he shall be punished as a pirate.

Article XVI.

Turtle fish-
ery.

The most *Christian* king's subjects shall have liberty to fish for turtles in the islands of *Cayman*.

Article XVII.

All differen-
ces between
the subjects
of either
king to be
decided,
where they
have arisen--

but if not
determined
within a year,
the proceed-
ings must be
transmitted
to the one or
other of their
majesties.

If any differences or disputes should arise between the subjects of either king in the said islands, colonies, forts, cities and governments, under the dominion of either respectively, whether at sea or land, this peace and good correspondence shall not thereby be interrupted or infringed; but the said differences, which may happen between the subjects of the said kings, shall be adjudged and determined by the governors of each jurisdiction respectively, where they shall have arisen, or by them, whom they shall depute: and, if the said differences cannot within the space of one year be determined by the said governors, they shall transmit the proceedings with the first opportunity to the one or the other of the said kings, that such differences may be determined according

ording to justice, in the manner, which shall be agreed upon between their majesties.

Article XVIII.

If any breach should happen (which God forbid) between the said crowns in *Europe*, no act of hostility, either by sea or land, shall however be done by any of the king of *Great Britain's* garrisons, soldiers or subjects whatever, of the islands, colonies, forts, cities and governments, which now are, or shall hereafter be, under the *English* dominion in *America*, against the most *Christian* king's subjects inhabiting or residing in any of the *American* colonies: in like manner and reciprocally in the case aforesaid of a breach in *Europe*, no act of hostility, either by sea or land, shall be committed by any of the most *Christian* king's garrisons, soldiers or subjects whatever, of the islands, colonies, forts, cities and governments, which now are, or hereafter shall be under the *French* dominion in *America*, against the king of *Great Britain's* subjects inhabiting or residing in any of the *American* colonies; but a true and firm peace and neutrality shall continue in *America* between the said *British* and *French* nations, in the same manner as if such breach in *Europe* had not happened.

In case of war in *Europe* between the parties, no hostilities shall be committed between their subjects residing in *America*.

Article XIX.

This present treaty shall not in any manner derogate from the treaty concluded between their said majesties at *Breda*, July 21, 1667; but all and singular the articles and clauses of the said treaty shall remain in force, and be observed.

This treaty not to derogate from the treaty of *Breda* in 1667.

Treaty

WILLIAM
III.
LEWIS XIV.
1697.

Treaty of peace and commerce between *Great Britain* and *France*, concluded at *Ryswick*, September 10, 1697.

Article V.

Free Navigation and commerce, as formerly in time of peace.

THAT there shall be a free use of navigation and commerce between the subjects of both the said kings, as was formerly in the time of peace, and before the declaration of the late war, so that every one of them may freely come into the kingdoms, provinces, marts, ports and rivers, of either of the said kings, with their merchandises; and may there continue, and trade, without molestation; and use and enjoy all liberties, immunities, and privileges, granted by solemn treaties and antient customs.

Article X.

Times and distances settled in regard to ships taken, after peace is concluded, and before it is notified.

To cut off all manner of dispute and contention, which may arise concerning the restitution of ships, merchandises and other moveable goods, which either party may complain to have been taken and detained by the other, in countries, and on coasts far distant, after the peace is concluded, and before it is there notified, all ships, merchandises, and other moveable goods, which shall be taken on either side, after the signing and publication of the present treaty, within the space of twelve days in the *British* and *Northern* seas; within the space of six weeks from the said *British* and *Northern* seas as far as *Cape St. Vincent*;

Vincent ; within the space of ten weeks beyond the said Cape, and on this side the equinoctial line or equator, as well in the Ocean and *Mediterranean* sea, as elsewhere ; lastly, within the space of six months beyond the boundaries of the said line, throughout the whole world ; shall belong and remain to the possessors, without any exception or farther distinction of time or place, or any consideration to be had of restitution or compensation.

Article XII.

But if (which God forbid) the differences, now composed between the said kings, should at any time be renewed, and break out into open war, the ships, merchandises, and all kinds of moveable goods of either party, which shall be found to be and remain in the ports and dominions of the adverse party, shall not be confiscated, or in any manner detained or damaged, but the whole space of six months shall be allowed to the subjects of both the said kings, that they may carry away and transport the aforesaid goods, and any thing else, which is their's, whithersoever they shall think fit, without any molestation.

Six months
allowed for
the removal
of effects in
case of a rup-
ture.

ANNE.
LEWIS XIV. Treaty of peace between *Great Britain* and
1713. *France*, concluded at *Utrecht*, March 31,
1713.

Article VII.

Navigation
and com-
merce, as
formerly.

THAT there be a free use of navigation and commerce between the subjects of both their majesties, as it was formerly in the time of peace, and before the declaration of the last war; and particularly as it is agreed and concluded by the treaty of commerce this day made between the two nations.

Article X.

Hudson's Bay
restored to
the *English*.

The most *Christian* king shall restore to the kingdom and queen of *Great Britain*, to be possessed in full right for ever, the bay and straits of *Hudson*, together with all lands, seas, sea-coasts, rivers, and places situated in the said bay and straits, and which belong thereunto, no tracts of land or of sea being excepted, which are at present possessed by the subjects of *France*.

Article XII.

*St. Christo-
pher's, Nova
Scotia, and
the fishery
there, and
Annapolis
Royal, ceded
to the Eng-
lish.*

The most *Christian* king shall cause to be delivered to the queen of *Great Britain* on the same day, on which the ratifications of this treaty shall be exchanged, solemn and authentick letters or instruments, by virtue whereof it shall appear, that the island of *St. Christopher* is to be possessed hereafter by *British* subjects

jects only; likewise that all *Nova Scotia* or *Acadie*, comprehended within it's antient boundaries; as also the city of *Port Royal*, now called *Annapolis Royal*, and all other things in those parts, which depend on the said lands and islands, together with the dominion, property, and possession of the said islands, lands, and places, and all right whatever by treaties, or any other way attained, which the most *Christian* king, the crown of *France*, or any the subjects thereof, have hitherto had to the said islands, lands and places, and to the inhabitants of the same, are yielded and made over to the queen of *Great Britain*, and to her crown for ever; as the most *Christian* king doth now yield and make over all the said premisses, and that in such ample manner and form, that the subjects of the most *Christian* king shall hereafter be excluded from all kind of fishing in the seas, bays, and other places on the coasts of *Nova Scotia*, that is to say, on those coasts, which lie towards the *East*, within thirty leagues, beginning from the island commonly called *Sable* inclusively, and thence stretching along towards the *South-West*.

Article XIII.

The island called *Newfoundland*, with the adjacent islands, shall from this time forward belong of right wholly to *Great Britain*, and to that end the town and fortress of *Placentia*, and whatever other places in the said island are in the possession of the *French*, shall be yielded and given up within seven months from

Newfoundland with the town and fortress of *Placentia* quitted to the *English*, with a right reserved to the

*French of
catching and
drying fish
there.*

from the exchange of the ratifications of this treaty, or sooner if possible, by the most *Christian* king, to persons having a commission from the queen of *Great Britain* for that purpose: nor shall the most *Christian* king, his heirs and successors, or any of their subjects, at any time hereafter claim any right to the said island and islands, or to any part of it or them: moreover it shall not be lawful for the subjects of *France* to fortify any place in the said island of *Newfoundland*, or to erect any buildings there, besides stages made of boards, and huts necessary and usual for drying fish, or to resort to the said island beyond the time necessary for fishing and drying fish: but it shall be allowed to the subjects of *France* to catch fish, and to dry them on land, in that part only, and no other, of the said island of *Newfoundland*, which extends from the place called *Cape Bonavista* to the *Northern* point of the said island, and from thence bearing down along the *Western* side as far as the place called *Point Rich*: but the island called *Cape Breton*, as also all others whatever, situated both in the mouth and gulph of the river of *St. Lawrence*, shall hereafter belong of right to the *French*, and the most *Christian* king shall have full liberty to fortify any place or places there.

Article XIX.

*Six months
allowed for
the removal
of effects af-
ter a rupture.*

But if (which God forbid) the dissensions, which have been composed, should at any time be renewed between their said majesties, or their successors, and break out into open war, the ships, merchandises, and

and all the effects, both moveable and immoveable, on both sides, which shall be found to be and remain in the ports and dominions of the adverse party, shall not be confiscated, or any way detained or damaged, but the intire space of six months, to be reckoned from the day of the rupture, shall be allowed to the said subjects of each of their majesties, in which term they may sell the aforesaid things, or any other part of their effects, or carry and remove them from thence, where-ever they please, without any molestation, and retire from thence themselves.

Treaty of navigation and commerce between
the crowns of Great Britain and France,
concluded at Utrecht, March 31, 1713.

ANNE.
 LEWIS XIV.
 1713.

Article I.

THAT there shall be a reciprocal and intirely perfect liberty of navigation and commerce between the subjects on each part, through all and every the kingdoms, states, dominions, and provinces of their royal majesties in *Europe*, in respect to all and singular kinds of goods in those places, and on those conditions, in such manner and form, as is settled and adjusted in the following articles.

Free navigation and commerce in *Europe*.

Article II.

Six months
allowed to
the subjects
of both their
majesties, to
withdraw
their persons
and effects
after a rup-
ture.

That the commerce and friendship between the subjects of the abovesaid parties may be hereafter secure, and free from all trouble and molestation, it is agreed and concluded, that, if at any time any ill understanding and breach of friendship or rupture should happen between their said majesties, (which God forbid) in such case the term of six months shall be allowed, after the said rupture, to the subjects and inhabitants on each part, residing in the dominions of the other, in which term they themselves may retire, together with their families, goods, merchandises and effects, and carry them whithersoever they shall please: as likewise at the same time the selling and disposing of their goods, both moveable and immoveable, shall be allowed freely, and without any disturbance; and during the said term they shall not be detained by any arrests of their persons, effects, goods, or merchandises; and farther the subjects on each side shall have and enjoy good and speedy justice, so that they may avail themselves of it in order to withdraw, within the said space of six months, their goods and effects, intrusted as well to the publick as to private persons.

Article III.

The subjects and inhabitants of the kingdoms, provinces, and dominions of each of their majesties, shall exercise no acts of hostility and violence against each

each other, either by sea, or by land, or in rivers, streams, ports or havens, under any colour, or pretense whatever; so that the subjects of either party shall receive no patent, commission, or instruction for arming and acting at sea as privateers, or letters of reprisals, (as they are called,) from any princes or states, which are enemies to the one side or the other; nor by virtue or under colour of such patents, commissions or reprisals, shall they disturb, infest, or any way prejudice or damage the aforesaid subjects and inhabitants of the queen of *Great Britain*, or of the most *Christian* king, neither shall they arm ships in such manner as is abovesaid, or go out to sea therewith: to which end, as often as it is required by either side, strict and express prohibitions shall be renewed, and published, in all the regions, dominions, and territories whatever of each party, that no one shall in any manner use such commissions or letters of reprisals, under the severest punishment, which can be inflicted on the transgressors, besides restitution and full satisfaction to the parties injured.

The subjects of either party not to act under any commission, issued by any prince or state, which may be at war with either.

Article IV.

The subjects and inhabitants of each of the aforesaid confederates shall have liberty, freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to go into the kingdoms, countries, provinces, lands, islands, cities, villages, towns walled or unwalled, fortified or unfortified, ports, dominions, or territories whatever,

Free passage to the subjects of both confederates into the ports and territories of each other in *Europe*.

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and effects
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Free passage to the subjects of both confederates into the ports and territories of each other in *Europe*.

ever, of the other confederate in *Europe*, there to enter and to return from thence, to abide there, or to pass through the same, and in the mean time to buy and purchase, as they please, all things necessary for their subsistence and use; and they shall be treated with all mutual kindness and favour; provided however, that in all these matters they behave and comport themselves conformably to the laws and statutes, and live and converse with each other amicably and peaceably, and keep up a mutual concord by all manner of good understanding.

Article V.

The subjects
of either
power to en-
ter the ports
of the other
with their
ships and all
merchandises
not prohibi-
ted.

The subjects of each of their majesties may have leave and licence to come with their ships, as also with the merchandises and goods, with which they are laden, (and of which the trade and importation are not prohibited by the laws of either kingdom,) to the lands, countries, cities, ports, places and rivers of either side in *Europe*, to enter into the same, to resort thereto, to remain and reside there without any limitation of time; and moreover they shall have free leave, without any molestation, to remove themselves, and, if they shall happen to be married, their wives, children, and servants, together with their merchandises, wares, goods and effects, either bought or imported, whenever and where-ever they shall think fit, out of the bounds of each kingdom, by land and by sea, on the rivers and fresh waters, discharging the usual duties, notwithstanding any law,

law, privilege, grant, immunity, or custom, in any manner importing the contrary.

Article VII.

Merchants, masters of ships, owners, mariners, and all other persons, ships, and all merchandises and effects in general, of one of the confederates, and of his subjects and inhabitants, shall, on no publick or private account, by virtue of any general or special edict, be seized in any of the lands, ports, havens, shores, or dominions whatever of the other confederate, for the publick use, for warlike expeditions, or for any other cause; much less for the private use of any one shall they be detained by arrests, constrained by any kind of violence, or in any way molested or injured. Moreover it shall be unlawful for the subjects of both parties to take any thing, except the person, to whom it belongs, consents, and it be paid for with ready money; but this is not to be understood of that detention and seizure, which shall be made by the command and authority of justice, and by the ordinary methods on account of debt or crimes, in respect whereof the proceeding must be by way of law, according to the form of justice.

Subjects or goods of either confederate not to be detained, for publick use, warlike expeditions, &c.

This article not to be understood of that detention, which justice may require.

Article VIII.

It is established, as a general rule, that all and singular the subjects of their said majesties shall use and enjoy respectively in all countries and places, subject

Subjects of either party to enjoy all the privileges of the most

favoured nation in the dominions of the other. subject to their power, the same privileges, liberties, and immunities, without any exception, as fully as the most favoured nation now doth, or hereafter shall use and enjoy them, in respect to any rights, duties, or impositions, relating to persons, merchandise, effects, ships, freight, seamen, navigation and trade; and that they shall have the same degree of favour in all affairs, as well in those transacted in courts of justice, as in those which concern commerce, or any other rights.

XV.

Privateers of enemies not to fit their ships, or dispose of captures in the ports of either party. It shall not be lawful for the commanders of any foreign privateers, who shall have commissions from any other prince or state, at enmity with either nation, to fit their ships in the ports of either the one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatever to exchange either ships, merchandises, or any other lading; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that prince, from whom they have commissions.

Article XVII.

Ships of either party to sail freely to and from places at enmity with the other, tho' the cargoes should be It shall be lawful for all and singular the subjects of the queen of *Great Britain*, and of the most *Christian* king, to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandises laden thereon, from any port to the places of those, who are

are now, or shall be hereafter, at enmity with the queen of *Great Britain*, or the most *Christian* king : it shall likewise be lawful for the subjects and inhabitants aforesaid to sail with the ships and merchandises aforementioned, and to trade with the same liberty and security from the places, ports and havens of those, who are enemies of one, or either party, without any opposition or disturbance whatever, not only directly from the places of the enemy aforementioned to neutral places, but also from one place, belonging to an enemy, to another place, belonging to an enemy, whether they are under the jurisdiction of the same prince, or under several. And, as it is now stipulated concerning ships and goods, that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the ships, belonging to the subjects of either of the confederates, although the whole lading, or any part thereof, should appertain to the enemies of either of their majesties, (contraband goods being nevertheless excepted, on the discovery whereof, matters shall be managed according to the sense of the subsequent articles) it is also agreed in like manner, that the same liberty shall be extended to persons, who are on board a free ship, with this effect, that although they are enemies to both, or to either party, they are not to be taken out of that free ship, unless they are soldiers, and in actual service of the enemies.

in part or
wholly the
property of
enemies.

Free ships
shall make
free goods,
contraband
excepted.

Free ships
shall also
make free
the persons
of enemies,
soldiers ex-
cepted.

Article XVIII.

Free trade in
all goods,
except con-
traband.

This liberty of navigation and commerce shall extend to all kinds of merchandises, excepting those only, which follow in the next article, and which are distinguished by the name of contraband.

Article XIX.

Contraband
goods speci-
fied.

Under this name of contraband, or prohibited goods, shall be comprehended arms, cannon, or great guns, bombs with their fuzees and other things belonging to them, fire-balls, gun-powder, match, cannon-ball, pikes, swords, lances, spears, halberds, mortars, petards, granadoes, saltpetre, muskets, musket-ball, helmets, head-pieces, breast-plates, coats of mail, and the like kinds of arms proper for arming soldiers; musket-rests, belts, horses with their furniture, and all other warlike instruments whatever.

Article XX.

What goods
shall not be
deemed con-
traband.

Those merchandises, which follow, shall not be reckoned among prohibited goods, that is to say, all sorts of cloth, and all other manufactures woven of any wooll, flax, silk, cotton, or any other materials whatever; all kinds of cloaths and wearing apparel, together with the species of which they are usually made; gold and silver, as well coined as uncoined, tin, iron, lead, copper, brass, coals; as also wheat and barley, and any other kind of corn
and

and pulse ; tobacco, and likewise all manner of spices ; salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, sugars, and all sorts of salt ; and, in general, all provisions, which serve for the nourishment and sustenance of mankind. All kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sails, sail-cloths, anchors, and any parts of anchors ; also ship-masts, planks, boards, and timber of what trees soever ; and all other things proper either for building or repairing ships ; and all other goods whatever, which have not been worked into the form of any instrument or thing prepared for war, by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for any other use ; all which shall wholly be reckoned among free goods ; as likewise all other merchandises and things, which are not comprehended and particularly mentioned in the preceding article ; so that they may be transported and carried in the freest manner by the subjects of both confederates, even to places belonging to an enemy, such towns or places being only excepted, as are, at that time, besieged, blocked up, or invested.

Article XXI.

To the end, that all manner of dissensions and quarrels may be avoided and prevented on the one side and the other, it is agreed, that, in case either of their majesties, parties hereto, should be engaged in war, the ships and vessels, belonging to the subjects

When either party shall be at war, the ships of the other shall be furnished with proper passports and certificates.

jects of the other party, must be furnished with sea-letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of the habitation of the master or commander of the said ship, that it may thereby appear, that the ship really and truly belongs to the subjects of the one or the other party; which passports shall be granted, and made out, according to the form annexed to this treaty; they shall likewise be recalled every year, that is, if the ship happens to return home within the space of a year. It is likewise agreed, that such ships, being laden, are to be provided, not only with passports as abovementioned, but also with certificates, containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound; that so it may be known, whether any forbidden or contraband goods, such as are enumerated in the 19th article of this treaty, are on board the same; which certificates shall be made out, in the accustomed form, by the officers of the place whence the ship set sail: and, if any one shall think it fit or adviseable to express in the said certificates the person, to whom the goods on board belong, he may freely do so.

Article XXII.

Ships not obliged to give an account of their lading, unless suspected.

The ships of the subjects and inhabitants of either of their majesties, coming upon any coast belonging to either confederate, but not willing to enter into port, or, being entered into port, not willing to unload

unload their cargoes or break bulk, shall not be obliged to give an account of their lading, unless they should be suspected, upon some manifest tokens, of carrying to the enemy of the other party any prohibited goods called contraband.

Article XXIII.

And, in such case of manifest suspicion, the said subjects and inhabitants of the dominions of either of their majesties shall be obliged to exhibit, in the ports, their passports and certificates, in the manner before specified.

If suspected, must exhibit passports and certificates.

Article XXIV.

That, if the ships of the said subjects or inhabitants of either of their majesties shall be met with, either sailing along the coasts, or on the high seas, by any ships of war of the other confederate, or by any privateers, the said ships of war, or privateers, for the avoiding of any disorder, shall remain out of cannon shot, and may send their boats on board the merchant-ship, which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passport, concerning the property of the ship, made out according to the form annexed to this present treaty; and the ship, when she shall have shewed such passport, shall be free and at liberty to pursue her voyage, nor shall it be lawful to molest or search her in any manner,

Ships of war and privateers of one party, meeting the merchant-ships of the other on the coasts or at sea, shall remain out of cannon shot, and only send their boats to examine their passports.

manner, or to give her chace, or force her to quit her intended course.

Article XXV.

Merchant-ship, making to the port of an enemy, must produce passports and certificates.

But that merchant-ship of either of the parties, which shall make to a port belonging to the enemy of the other confederate [*quæ ad portum alteri fœderatorum inimicum tendere instituerit*] and concerning whose voyage, and the species of goods on board her, there shall be just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas as in the ports and havens, not only her passports, but likewise her certificates, expressly shewing, that her goods are not of the number of those, which have been prohibited, and which are specified in the 19th article of this treaty.

Article XXVI.

Hatches not to be broken open, though contraband goods are discovered.

That, if by the exhibiting of the abovesaid certificates, the other party shall discover therein any of those sorts of goods, which are prohibited and declared contraband by the 19th article of this treaty, and consigned for a port under the obedience of his enemies, it shall not be lawful to break up the hatches of such ship, or to open any chests, coffers, bales, casks, or any other vessels found therein, or to remove the smallest parcels of her goods, whether such ship belongs to the subjects of *France* or of *Great Britain*, unless the lading is brought on shore in the presence of the officers of the court of admiralty,

ralty, and an inventory thereof is made ; nor shall it be allowable to sell, exchange, or alien the same in any manner, until after a due and lawful process shall have been had against such prohibited goods, and till the judges of the admiralty respectively shall, by a sentence pronounced, have confiscated the same ; saving always as well the ship itself, as any other goods found therein, which by this treaty are to be esteemed free, and are not to be detained on pretense of their being infected by the prohibited goods, much less shall they be confiscated as lawful prize : but on supposition, that the contraband goods compose but part of the lading, and the commander of the ship shall be ready and willing to deliver them to the captor, who has discovered them, in such case the captor, having received those goods, shall forthwith discharge the ship, and not hinder her by any means freely to prosecute the voyage, on which she was bound.

Contraband goods not to be sold till sentence given.

Neither the ship nor any free goods are to be confiscated on account of the contraband.

On delivery of the contraband goods to the captor, the ship is to be discharged.

Article XXVII.

On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party, on any ship belonging to the enemy of the other, or to his subjects, the whole, although it consists not of prohibited goods, may be confiscated in the same manner as if it belonged to the enemy himself, except those goods and merchandises, which were put on board such ship before the declaration of war, or even after such declaration, if it were done within the time and limits following,

All goods, laden by either party on board the ships of an enemy, are to be confiscated, unless put on board before war declared, or within the times and distances specified.

that

that is to say, if they were put on board such ship in any port or place, within the space of six weeks after such declaration, within the bounds called the *Naze* in *Norway*, and the *Soundings*; of two months from the *Soundings* to the city of *Gibraltar*; of ten weeks in the *Mediterranean* sea; and of eight months in any other country or place in the world; so that the goods of the subjects of either prince, whether they are of the nature of such as are prohibited, or otherwise, which, as is aforesaid, were put on board any ship belonging to an enemy before the war, or after the declaration of the same, within the time and limits aforesaid, shall no way be liable to confiscation, but shall well and truly be restored without delay to the proprietors demanding the same; but, if the said merchandises are contraband, it shall by no means be lawful to carry them afterwards to any ports belonging to the enemy.

Article XXVIII.

All injury on both sides to be forbidden, punished, and repaired.

And that more effectual care may be taken for the security of the subjects of both their majesties, that they suffer no injury by the ships of war or privateers of the other party, all the commanders of the ships of the queen of *Great Britain*, and of the most *Christian* king, and all their subjects, shall be forbidden to do any injury or damage to the other side; and, if they act to the contrary, they shall be punished, and shall moreover be bound to make satisfaction for all damages and interests of what nature soever.

Article

Article XXXIII.

In case that either ships of war, or merchant-ships, forced by storms, or other misfortunes, on rocks or shelves on the coasts of one or the other party, should there be broken to pieces and shipwrecked, whatever is saved of such ships, their apparel, effects, merchandise, or the produce thereof if sold, shall be faithfully restored to the proprietors, reclaimers, or their factors, paying only the expenses of preserving the same, as it shall have been settled on both sides, in respect to the right of salvage, saving also the rights and customs of each nation: and both their majesties shall interpose their authority, that such of their subjects may be severely punished, who in the like accidents shall be found guilty of inhumanity.

The remains of ships wrecked and their lading shall be restored to the proprietors.

Severe punishment to be inflicted on those, who are guilty of inhumanity.

XXXV.

All ships and merchandises, of what nature soever, which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either kingdom, and shall be delivered to the custody of the officers of that port, in order to be restored intire to the true proprietor, as soon as due and sufficient proof shall be made concerning the property thereof.

All ships and goods rescued from pirates to be restored to the proprietors, on proof made of their property.

Article

Article XXXVI.

Free ingress
and egress for
ships of war
and priva-
teers of ei-
ther party,
with their
prizes, with-
out any duty,
search, or
molestation.

It shall be lawful for the ships of war of either of their majesties, and for privateers, freely to carry, where-ever they please, the ships and goods taken from their enemies, without being obliged to pay any duty to the officers of the admiralty, or any other judges; nor shall such prizes be arrested or seized, when they come to and enter the ports of either of their majesties; nor shall the searchers or other officers of those places search the same, or make examination concerning the lawfulness of such prizes, but they may hoist sail at any time, and depart and carry their prizes to the place expressed in their commissions or patents, which the commanders of such ships of war shall be obliged to shew: on the contrary, no shelter or refuge shall be given in their ports to such as shall have made prize upon the subjects of either of their majesties; but, if such ships should come in, being forced by stress of weather, or the danger of the sea, all proper means shall be vigorously used, that they may go out and retire from thence as soon as possible, so far as this shall not be contrary to former treaties, made in this respect with other kings and states.

No shelter to
be given to
any, who shall
make prize
of the pro-
perty of the
subjects of ei-
ther party.

Article XXXVII.

Capture of
ship or goods
of one party
not to be suf-
fered on the
coasts or in
the ports of
the other.

Neither of their majesties shall permit the ships or goods of the other to be taken upon the coasts, or in the ports or rivers of their dominions, by ships of war, or others having commission from any prince, com-

commonwealth or state whatever : and, in case such a capture shall be made, both parties shall use their authority and united efforts, that full satisfaction may be given for the damage done.

Article XXXIX.

But if it shall appear, that a captor made use of any kind of torture upon the master of the ship, the crew, or others, who shall be on board any ship belonging to the subjects of the other party, in such case, not only the ship itself, together with all persons, merchandises, and goods whatever, shall be forthwith released without any farther delay, and set intirely free, but also such as shall be found guilty of so great a crime, as also the accessaries thereunto, shall suffer the most severe punishment, suitable to their offense : this the queen of Great Britain, and the most Christian king, do mutually engage shall be done without any respect of persons.

Captor, using
torture, to
forfeit his
prize, and
suffer the
most severe
punishment.

This treaty of commerce does not appear to have been renewed by the treaty of Aix la Chapelle in 1748.

Formulaire des passe-ports & lettres, qui se doivent donner, dans l'amirauté de France, aux navires & barques, qui en sortiront, suivant l'article 21. du present traité.

L O U I S comte de Thoulouse, amiral de France, à tous ceux, qui ces presentes lettres verront, salut. Scavoir faisons, que nous avons donné congé & permission à maitre & conducteur du navire nommé de la ville de du port de tonneux ou environ, étant de present au port & havre de de s'en aller à chargé de apres que visitation aura été faite de son navire,

Form of the passports and letters, which are to be given, in the admiralty of France, to the ships and barks, which shall go from thence, according to the 21st article of this present treaty.

L E W I S count of Thoulouse, admiral of France, to all, who shall see these presents, greeting. We make known, that we have given leave and permission to master and commander of the ship called of the town of burden tuns or thereabouts, lying at present in the port and haven of to go to laden with after his ship has been visited, and before sailing, he shall

avant que de partir, fera serment devant les officiers, qui exercent la juridiction des causes maritimes, comme le dit vaisseau appartient à un ou plusieurs des sujets de sa majesté, dont il sera mis acte au bas des présentes ; comme aussi de garder & faire garder, par ceux de son equipage, les ordonnances & reglemens de la marine, & mettre au greffe le rôle, signé & verifié, contenant les noms & surnoms, la naissance & demeure des hommes de son equipage, & de tous ceux, qui s'embarqueront, lesquels il ne pourra embarquer sans le sçu et permission des officiers de la marine ; & en chacun port ou havre ou il entrera, avec son navire, fera apparoir aux officiers & juges de la marine du présent congé, & leur fera fidele rapport de ce, qui sera fait & passé durant son voyage, & por-

shall make oath before the officers, who have the jurisdiction of maritime affairs, that the said ship belongs to one or more of the subjects of his majesty, the act whereof shall be put at the end of these presents ; as likewise that he will keep and cause to be kept by his crew, on board, the marine ordinances and regulations, and enter in the proper office a list signed and witnessed, containing the names and surnames, the places of birth and abode of the crew of his ship, and of all, who shall embark on board her, whom he shall not take on board without the knowledge and permission of the officers of the marine ; and in every port or haven, where he shall enter with his ship, he shall shew this present leave to the officers and judges of the marine, and shall give a faithful

*tera les pavillons, armes
& enseignes du roy, &
les nôtres, durant son voy-
age. En temoin de quoi,
nous avons fait apposer
notre seing, & le seel de
nos armes à ces présentes,
& icelles fait contresigner
par notre secretaire de la
marine à jour de
. mille sept cent.
Signé Louis comte de
Thoulouse ———*

—— et plus bas,
par

**Formulaire de l'acte
contenant le ser-
ment.**

NOUS de l'ami-
rauté de cer-
tifions, que maitre du
navire, nommé au passeport
ci dessus, a prêté le serment
mentionné en icelui. Faite
à le jour de
. . . . mille sept cens

faithful account to them
of what passed and was
done during his voyage;
and he shall carry the
colours, arms and ensigns
of the king, and of us,
during his voyage. In
witness whereof, we have
signed these presents, and
put the seal of our arms
thereunto, and caused the
same to be countersigned
by our secretary of the
marine at the
day of 17
Signed Lewis count of
Thoulouse, and underneath
by

**Form of the act con-
taining the oath.**

WE of the ad-
miralty of
do certify, that
master of the ship, named
in the above passport, has
taken the oath mentioned
therein. Done at
the . . . day of . . . 17 . . .

Formula

Formula literarum
 certicatoriarum
 petendarum dan-
 darumque à ma-
 gistratu aut offi-
 cialibus vectiga-
 lium et teloni-
 orum burgi et
 portus, in burgis
 et portibus suis
 respectivis, navi-
 bus et navigiis,
 inde vela facien-
 tibus, secundum
 articuli vigesimi
 primi hujus trac-
 tatus dispositio-
 nem.

NO S A. B. magi-
 stratus (aut) offici-
 ales vectigalium et telonio-
 rum burgi et portus C.
 certificamus et attestamus,
 quod die mensis
 anno dom. 17 per-

*Form of the certifi-
 cates to be requi-
 red of, and to be
 given by, the ma-
 gistrate or officers
 of the customs of
 the town and port,
 in their respective
 towns and ports,
 to the ships and
 vessels, which sail
 from thence, ac-
 cording to the di-
 rections of the 21st
 article of this pre-
 sent treaty.*

WE A. B. magistrates
 (or) officers of the
 customs of the town and
 port of C. do certify and
 attest, that on the
 day of the month of
 in the year of our lord

17 . . .

sonaliter coram nobis comparuit D. E. de F. & solenni jurejurando declaravit, quod navis sive navigium vocat' G. mensurarum, quas tuns vocant . . . capax, cujus H. I. de K. solitæ habitationis loco, est magister sive præfectus, ei et aliis etiam serenissimæ regie majestatis dominæ nostræ clementissimæ subditis, iisque solis, justo titulo propria sit : jam vero de portu L. iter destinasse ad portum M. onustam mercibus et mercimoniis hinc infra speciatim descriptis et enumeratis, scilicet et prout sequitur, viz. . . .

In quorum fidem has certificadorias literas signavimus, et sigillo officii nostri sigillavimus. Dabantur die mensis A. D. 17

17 D. E. of F. personally appeared before us, and declared by a solemn oath, that the ship or vessel called G. of about tuns, whereof H. I. of K. his usual place of habitation, is master or commander, does rightfully and properly belong to him and others, subjects of her most serene majesty, our most gracious sovereign, and to them alone : that she is now bound from the port of L. to the port of M. laden with the goods and merchandise hereunder particularly described and enumerated, that is to say as follows, viz.

In witness whereof we have signed this certificate, and sealed it with the seal of our office. Given the day of the month of . . . in the year of our lord 17

Treaty

Treaty of peace between *Great Britain* and *France*, [and *Spain*] concluded at *Seville*, 1729.
November 9, 1729.

GEORGE II.
LEWIS XV.

Article I.

ALL former treaties and conventions of peace and friendship, and commerce, concluded between the contracting powers respectively, shall be, as they hereby are, effectually renewed and confirmed, in all those points, which are not derogated from by the present treaty, in as full and ample a manner, as if the said treaties were here inserted word for word; their said majesties promising not to do, or suffer any thing to be done, which may be contrary thereto, directly or indirectly.

All former
treaties of
peace and
commerce
renewed and
confirmed.

Article IV.

It having been agreed by the preliminary articles, that the commerce of the *English* and *French* nations, as well in *Europe* as in the *Indies*, should be re-established on the foot of the treaties and conventions antecedent to the year 1725, and particularly that the commerce of the *English* nation in *America* should be exercised as heretofore, it is agreed by the present article, that all necessary orders shall be dispatched on both sides, without any delay, as well for the execution of the said treaties of commerce, as for supplying what may be wanting for the intire re-establishment of commerce on the foot of the said treaties and conventions.

Commerce
as well in
Europe as in
the *Indies*
established
according to
the treaties
antecedent
to the year
1725.

K

Definitive

GEORGE II.
LEWIS XV.
1748.

Definitive treaty of peace and friendship between *Great Britain* and *France*, [and other powers] concluded at *Aix la Chapelle*, on $\frac{18}{29}$ October, 1748.

Article I.

Universal
and perpetual
peace be-
tween the
contracting
powers.

THERE shall be a christian, universal, and perpetual peace, as well by sea as land, and a sincere and lasting friendship, between the contracting powers, their heirs and successors, kingdoms, states, provinces, countries, subjects and vassals, of what rank or condition soever they may be, without exception of places or persons.

Article III.

The treaties
of peace at
Ryswick in
1697, and at
Utrecht in
1713, renew-
ed and con-
firmed.

The treaties of *Westphalia* of 1648; those of *Madrid*, between the crowns of *England* and *Spain*, of 1667 and 1670; the treaties of peace of *Nimeguen* of 1678 and 1679; of *Ryswick* of 1697; of *Utrecht* of 1713; of *Baden* of 1714; the treaty of the triple alliance of the *Hague* of 1717; that of the quadruple alliance of *London* of 1718; and the treaty of peace of *Vienna* of 1738, serve as a basis and foundation to the general peace, and to the present treaty; and, for this purpose, they are renewed and confirmed in the best form, and as if they were herein inserted, word for word; so that they shall be punctually observed for the future in all their tenor, and religiously executed on the one side and the other; such points, however, excepted, as have been derogated from in the present treaty.

TREATIES



T R E A T I E S

WITH

S P A I N.



Treaty of peace and commerce between Eng-
land and Spain, concluded at *Cambray*,
 August 5, 1529.

HENRY
 VIII.
 CHARLES V.
 emperor, and
 king of *Spain*.
 1529.

This is the first perpetual treaty between England and Spain, after the union of the kingdoms of Castile and Arragon in the person of Charles I. of Spain, afterwards emperor, under the title of Charles V.

Article I.

IT is agreed and concluded, that from this day there shall be a good, sincere, true, intire, perfect and firm friendship, league, confederacy, peace and union by land, sea, and fresh waters, to indure in all future times between the two princes, their heirs and successors, and their kingdoms, coun-tries,

tries, dominions, lands, vassals and subjects whatever, present and to come, of whatever degree or condition they are; so that the aforesaid vassals and subjects on both sides shall be bound mutually to favour each other with sincere and honest affection; and they may safely, freely, and securely go as well by land and sea, as fresh waters, and enter into the said kingdoms, countries, dominions, lands, cities, towns and places, fortified or unfortified, and all their ports or districts whatever, or any of them; and there abide and have intercourse as long as they please; and there buy and sell provisions and all other necessities whatever without contradiction; and may likewise go, depart and return from the said kingdoms, countries, lands, cities, towns, villages, ports and districts whatever, or any of them, as often as they please, to their own countries, or any other foreign parts whatever, with their own or hired or borrowed ships, waggons, carriages, horses, armour, merchandises, packs, goods, and all other things whatever, in the same manner as they might do in their own countries, or as the native subjects of those places and countries might: so that they shall not need any safe-conduct, or general or special licence, nor be obliged to ask for such safe-conduct or licence in any of the aforesaid places.

Article II.

Neither party
to attempt
any thing a-
gainst the
other.

Neither of the said princes, nor any of their heirs or successors, shall act, do, treat, or attempt any thing against the other, either upon land or by sea, or in the countries, ports, or fresh waters, upon any occasion;

occasion; nor give any aid, council, countenance or consent, in case of any invasion, which may be made, intended or attempted, by any others whatever, to the injury or prejudice of the other prince, his heirs or successors.

Article III.

Neither of the said parties shall give any aid, council or countenance to the known enemies of the other party, intending or endeavouring to invade him either by land, sea, or fresh waters, in any lands, kingdoms, countries, cities, or dominions whatever, or where-ever situated; nor knowingly suffer such enemies to enter into, or pass through his kingdoms, countries, lands, cities and dominions; nor in any manner favour any such designs.

Neither party
to give aid to
the enemies
of the other.

Article V.

That, if during the aforesaid peace and amity any thing shall be attempted, acted, or done against the force and effect of the same, by land, sea, or fresh waters, by any of the vassals, subjects and allies of the said princes, their heirs and successors, or by the heirs and successors, vassals or subjects of their allies, who are comprehended in this treaty, yet, notwithstanding, this peace and amity shall remain in their full force and effect, and only the persons attempting such things, and doing the mischief, shall be punished for such their attempts, and no others.

This peace
to remain,
notwith-
standing any
violation of
it, by the
subjects of
either party.

Article

Article VI.

Letters of
reprisals not
to be granted
without due
notice.

Whenever it shall happen, that the subjects of the king of *England* shall be any way hurt or injured by the subjects of the *Emperor*, or that the subjects of the said lord the *Emperor* shall be hurt or injured by the subjects of the king of *England*, those, who have not done the injury, shall not therefore be liable by letters of reprisals, marque or countermarque, or any other orders or commissions whatever, without due and previous notice or summons, either upon the petition of the person injured, or some other way, to be arrested in their persons or goods, or to be any way obstructed or molested, nor shall any war be made or levied upon that account ; but the prince of the said party offending shall make due reparation for all such attempts and injuries, and put matters into their former condition : and such letters of reprisals, marque and countermarque, and all such like orders (unless such notices have first gone out and been duly intimated to the parties, and publick summons with respect to the princes) shall henceforth intirely cease ; and, if they are otherwise granted, they shall be accounted null and void.

Article XII.

It is likewise agreed, for the common benefit of this peace and friendship, and that the subjects of both the said princes may daily increase in their mutual

mutual accustomed commerce with each other, that, as for the intercourse of merchandises and mutual commerce, which they have usually carried on with each other, the treaty of intercourse and commerce, dated the 11th of *April* 1520, shall be and remain in the same state, in which it was before the commencement of the war, and continue in force, as if war had not been declared.

Treaty of 1520 to remain in it's former state.

Treaty of peace and commerce between *England* and *Spain*, concluded February 11, 1542-3.

HENRY VIII.
CHARLES V.
emperor and
king of *Spain*.
1542-3.

Articles II. III. IV. X. and XI. of this treaty, relative to maritime affairs, are word for word the same with Articles I. II. III. V. and VI. of the preceding treaty.

Article XIII.

IT is likewise agreed, for the common benefit of this peace and friendship, and that the subjects of both the said princes may daily increase in their mutual accustomed commerce with each other, that, as for the intercourse of merchandises and mutual commerce, which they have usually carried on with each other, the treaty of commerce, dated the 11th of

Treaty of 1520 to remain in the same state, in which it ought to remain by the treaty of 1529.

of *April* * 1520, shall be and remain in the same state and force, in which it ought to be and remain by the treaty of *Cambray*, dated the 5th of *August* 1529.

* *The treaty of 1520 [see Rymer, Tom. XIII. p. 714.] was, in the 8th article of it, limited as to it's duration, so as to continue in force from 5 years to 5 years, 'till a new treaty of commerce should be concluded between the kings of England and Spain; but as diverse treaties of commerce have since been made between the said powers, without any mention of the treaty of 1520, it cannot therefore now be regarded as subsisting.*

JAMES I.
PHILIP III.
ALBERT and
ISABELLA.
1604.

Treaty of peace and commerce between *Great Britain*, and *Spain*, [and the *Netherlands*] concluded at *London*, August 18, 1604.

Article VII.

Free commerce according to former usage and antient treaties.

IT is agreed and concluded, that there be and ought to be a free commerce between the most serene king of *Great Britain* and the most serene king of *Spain*, and between all their vassals, inhabitants and subjects whatever, as well by land as by sea and fresh waters, in all and singular the kingdoms, dominions and islands, and other lands, cities, towns,

towns, villages, ports and districts of the said kingdoms and dominions, in which commerce was used before the breaking out of the war, and according to the use and observance of antient covenants and treaties before the war; so as the subjects and vassals of either king may, without any passport or licence, general or special, come and enter into the said kingdoms and dominions, either by sea, land, or fresh water, and into the cities, towns, villages, ports, shores, creeks and districts thereof, and enter into any ports, where commerce was carried on before the war; and, according to the use and observance of the said antient covenants and treaties, may bring in or import merchandises upon waggons, horses, carriages, and vessels loaded or to be loaded; and buy and sell in such places, and furnish themselves at a reasonable rate with any quantity of provisions and things necessary for their subsistence and voyage, and repair their vessels and carriages, whether they are their own, or hired or borrowed, and with the same liberty may depart with all their merchandises, goods and things whatever, having first paid the present toll and duties only, according to the laws of such places, and may go from thence into their own or any other countries, as they please, without any impediment.

Article VIII.

It is agreed, and in like manner concluded, that it shall be lawful to come to the ports of the said princes and remain there, and depart from thence with

Free access
and departure
for all ships
of both nations.

Number of
ships of war
restrained.

Subjects of
one party not
to assist the
enemy of the
other.

with the same liberty, not only with merchant-ships, but also with all other ships, armed and fitted out to restrain and resist the force and attempts of enemies; whether they are forced in by the violence of storm, or come in to refit, or to buy provisions: provided that, in case they come without being forced, they exceed not the number of six or eight ships, nor remain in, nor hover about the ports any longer, than shall be necessary for repairing them, and providing necessities; lest by any means they should be an hinderance to the free intercourse and commerce of other allied nations: but if there shall be a greater number of ships of war, then they must not enter the ports without consulting the prince; and they must not act in an hostile manner in the said ports in prejudice of the said princes, but live and remain as friends and confederates; provided always, that, under colour or pretext of commerce, no assistance, or provisions of victuals, arms, warlike instruments, or any other kind of warlike assistance, be brought for the use and service of the enemies of either of the said kings, by any of the subjects, vassals, or inhabitants of the said kings; but they, who shall attempt it, shall be most severely punished, as seditious infringers of faith and peace: so that the subjects of the one prince shall not be worse treated in the territories of the other, than the natural born subjects, in selling and bargaining about their merchandises, as well with respect to the price as otherwise; but in the aforesaid cases the condition of strangers shall be the same with that of the inhabitants

tants and natural born subjects, any statutes or customs to the contrary notwithstanding.

Article XII.

And, as the said kings solemnly promise never to give any warlike assistance to the enemies of either, it is farther provided, that their subjects or inhabitants, of whatever nation or quality they may be, shall not, either on pretense of trade or commerce, or under any other colour, assist the enemies of the said princes, or of either of them, in any manner, or furnish them with money, provisions, arms, engines, bombs, or instruments fit for war, or afford any other warlike furniture; and all contraveners shall be liable to the severest punishments, as covenant-breakers and seditious persons.

Enemies of
one party not
to be assisted
by the other.

Article XIII.

That if any prohibited goods or merchandises shall be exported or carried out of the kingdoms and dominions of the said most serene kings, by the subjects of either, in that case the delinquent alone shall incur punishment, and the prohibited goods only shall be confiscated.

Prohibited
goods only
to be confisc-
ated; and
only the de-
linquent pun-
ished.

XV.

That the concessions and privileges granted by the said princes to the merchants of both kingdoms coming to their dominions, and which have ceased because

Privileges,
granted be-
fore the war,
revived.

because of the war, shall be revived, and become effectual.

Article XVI.

Six months allowed to the subjects of either party, to withdraw their effects in case of a rupture.

If it should happen hereafter (which God forbid) that differences should arise between the said kings, whereby the intercourse of commerce may be in danger of being interrupted, then the subjects on both sides shall be informed of that matter, and shall be allowed six months, from the time of such information, to transport their merchandises; and no arrest, interruption or damage of their persons or goods, in the mean time, shall be made or given.

Article XVII.

Ships not to be detained without consent.

Neither of the aforesaid princes shall detain the ships of the other in their ports or waters, to use them for war or any other service, in prejudice of their masters and owners, without first acquainting the prince, to whom such ships belong, and obtaining his consent.

CHARLES I.
PHILIP IV.
1630.

Treaty of peace and commerce between Great Britain and Spain, concluded at Madrid, November 15, 1630.

Article VII.

Free commerce according to ancient treaties.

IT is agreed and concluded, that there be and ought to be a free commerce, between the king of Great Britain and the king of Spain and all their vassals,

vassals, inhabitants and subjects; as well by land as by sea, and on fresh waters, in all and singular the kingdoms, dominions and islands, lands, cities, towns, villages, ports and districts of the said kingdoms and dominions, where commerce and trade were carried on between the said kingdoms, before the war between *Elizabeth* queen of *England* and *Philip II.* king of *Spain*, as it was settled in the treaty of peace in the year 1604, according to the use and observance of antient covenants and treaties preceding the said time; so that without any passport, general or special licence, either by land, sea, or fresh water, the subjects and vassals of both kings may go, enter, and sail with their merchandises to all the aforesaid places, and all their cities, towns and ports, shores, coasts and districts, and enter into any ports, in which there was a mutual commerce before the said time, according to the use and observance of the said antient covenants and treaties, with waggon, horses, carriages, and vessels loaded or to be loaded, and buy and sell in such places, and furnish themselves at reasonable rates with any quantity of provisions and things necessary for their subsistence and voyage, and repair their vessels and carriages, whether they are their own or hired or borrowed, and with the same liberty depart with all their merchandises, goods and things whatever, having first paid the tolls and duties according to the laws of such places, and go from thence to their own or any other countries, as they please, without any impediment.

Article

Article VIII.

Free access
and depar-
ture for all
ships in ge-
neral.

Number of
ships of war
restrained.

It shall be lawful to go to the ports of the said kings; and there remain, and depart from thence with the same liberty, not only with merchant-ships, but also with all manner of ships of war, prepared to repulse the attacks of an enemy, whether they shall be driven in by the violence of a storm, or enter into the said ports in order to repair their ships, or to buy provisions; provided that, if they come in freely, and of their own accord, they do not exceed the number of six or eight ships, and do not remain longer in the ports than shall be necessary for refitting, or purchasing necessaries, lest they should be an hinderance to the free commerce of other friendly nations: but if there shall be a greater number of ships of war, then they shall not come in without first consulting the king; and they shall commit no hostilities in the said ports in prejudice of the said kings, but live and continue quiet like friends and confederates.

Article IX.

Subjects of
one party not
to assist the
enemies of
the other.

Provided always, that, under colour and pretext of commerce, no assistance, whether of provisions, arms, or warlike instruments, or any other kind of warlike assistance, be carried by any of the subjects, vassals or inhabitants of the aforesaid kings, for the use and benefit of the enemies of either of the said kings; but whoever shall attempt such things, they shall be most severely punished, as seditious persons,
and

and infringers of faith and peace: so that the subjects of the one party shall not be worse treated in the territories of the other, than the natives themselves, in selling and bargaining for their merchandises, either with regard to the price or otherwise; but the condition of foreigners and natives in the aforesaid respects shall be equal and alike, any statutes or customs to the contrary notwithstanding.

Article XX.

As to what concerns the many antient intercourses and treaties of commerce between the kingdoms of *England, Scotland and Ireland*, and the dukes of *Burgundy* and princes of the *Netherlands*, it is agreed, that they shall retain their former force and authority; and that they shall remain in the same state, in which they were before the war between *Elizabeth*, queen of *England*, and *Philip II.* king of *Spain*.

Antient treaties to retain their former force.

Article XXII.

That, if any prohibited goods or merchandises are exported or carried out of the kingdoms and dominions of either of the said kings, by the subjects of either, in that case only the delinquent shall be punished, and the prohibited goods only shall be confiscated.

Prohibited goods only to be confiscated.

Article XXIV.

That the concessions and privileges, granted by the said kings to the merchants of both kingdoms, coming to their kingdoms, and which have ceased because

Privileges of merchants to be revived.

because of the war, shall be revived, and have their full effect.

Article XXVI.

Ships not to
be detained.

That neither of the said kings shall detain or stop any ships, belonging to the subjects of the other, lying in their ports, to use them for carrying on war, or for any other service, in prejudice of the owners, without first acquainting their king, to whom the ships belong, and obtaining his consent.

CHARLES II.
CHARLES II.
1667.

**Treaty of peace and commerce between *Great Britain and Spain*, concluded at *Madrid*,
May 23, 1667.**

Article I.

Universal
peace and
amity be-
tween the
two crowns.

IT is agreed and concluded, that there shall be an universal, good, sincere, true, firm, and perfect amity, confederation and peace, between the crown of *Great Britain* on the one part, and the crown of *Spain* on the other; and also between the regions, countries, kingdoms, dominions and territories belonging to, or under the obedience of, either of the said kings, which shall indure from this day for ever, and shall be inviolably observed, as well by land as by sea, and on all waters; and that the subjects and people of the said kings, and the inhabitants of their dominions, of what degree or condition soever, shall reciprocally help, assist, and shew

to

to each other all kind of benevolence and mutual good offices and friendship.

Article II.

Neither of the said kings, nor their respective people, subjects or inhabitants within their dominions, shall, upon any pretense whatever, either openly or secretly attempt, do, or procure to be done, any thing, which may be of damage or detriment to the other party, in any place whatever, either by sea or by land, or in ports or rivers; but they shall treat each other with all love and friendship. Moreover each party shall have free and safe access and admittance, as well by sea as by land, into the countries, kingdoms, islands, dominions, cities, towns walled or not walled, fortified or not fortified, of the other party; and likewise into their harbours and ports, wheresoever trade and commerce were usually carried on heretofore; so that every person on either side may buy, sell, and carry on all manner of trade and traffick, in what place so ever he will, belonging to the other party, not less freely and securely, than citizens themselves with their fellow citizens and countrymen, or any other foreign people whatever, who have liberty to frequent the said territories and dominions of either party.

Subjects of one party not to injure those of the other.

Free admittance to the subjects on both sides into all places, where commerce hath heretofore been usually carried on.

Article III.

The kings of *Great Britain* and *Spain* shall take most special care, that their respective subjects and people do from henceforward abstain from all force, wrong, and violence to each other.

Subjects of either party not to commit any violence.

Article IV.

Free liberty
of trading on
both sides in
all places,
where com-
merce hath
usually been
carried on.

That between the king of *Great Britain* and king of *Spain*, and their respective subjects, people and inhabitants, there shall be allowed on both sides a free liberty and power of trading, and of instituting and carrying on all manner of commerce, as well by sea as by land, and upon all waters, throughout all and singular the kingdoms, countries, territories, provinces, islands, colonies, cities, towns, villages, ports, rivers, creeks, bays, straits and currents, under the obedience of either king, where trade or commerce hath at any time heretofore been usually carried on; so as, without letters of safe-conduct, or other form of general or special licence, the people and subjects on both sides may, as well by land as by sea, and upon the fresh waters, freely navigate and pass into the countries, kingdoms, dominions, cities, ports, currents, bays, districts, and other places whatever, under the obedience of either of the confederates; and may come and enter into any ports whatever, as they shall think fit, with their ships loaded or not loaded, and with all kind of merchant-ships and carriages whatever; and, when they have entered into such ports, they may buy, sell and barter all kind of merchandise whatever, of what value or to what quantity so ever; they may likewise provide themselves at just and usual rates with victuals, and all kind of provisions necessary either for their subsistence or voyage; and may repair and fit out their ships, and other vessels of burden, and carriages;

riages; and likewise remove from thence, and freely depart with their ships and other vessels of burden, goods, merchandises and effects, wheresoever they shall think fit, whether they think proper to return to their own countries, or to proceed elsewhere, without any molestation or impediment; saving always, on both sides, the rights, customs and duties to be demanded and paid; saving likewise the laws and ordinances, which have been made and observed throughout the several dominions and countries of both the said kings.

VIII.

For what may concern both the *Indies*, and any other parts whatever, the crown of *Spain* doth grant to the king of *Great Britain*, and his subjects, all that was granted to the *United States* of the *Low Countries* by the treaty of * *Munster*, made in the year 1648, in as strong and ample manner, as if the same was here inserted, in every article and point thereof, without the least omission; the same laws being to be observed, to which the subjects of the said *United States* are bound, and mutual offices of friendship to be performed on each side.

* See the treaty of *Munster* at the end of this treaty.

Article X.

The ships and all other vessels, belonging to the king of *Great Britain* or his subjects, when they sail towards, or enter into the dominions or ports of the

tering the
ports of *Spain*,
not to be
searched or
visited.

king of *Spain*, shall in no wise be subject to any visitation or search by the officers and judges of prohibited goods, or any others whatever, either by virtue of their own or any other authority; nor shall any soldiers, armed men, officers, or any private persons whatever, under the name of a guard or watch, or on any other pretense whatever, be put on board any of the said ships or vessels.

Article XIII.

Ships of ei-
ther confede-
rate may cast
anchor in
the coasts or
roads of the
other —

It shall be lawful for the ships of the people and subjects of either of the confederates to cast anchor in the coasts, bays, or any stations, or roads for ships belonging to the other confederate, without being in any manner constrained to enter into any neighbouring port; and in case any ship, being forced by stress of weather, or danger of enemies or pirates, or by any other accident, should be necessitated to come into port, provided it appears, that she is not bound to an enemy's port with prohibited goods, commonly called contraband, (concerning which she shall not be questioned without clear proofs,) such ship may sail out of port at any time and return to sea without any impediment whatever; upon condition however, that the cargo remains untouched, and that no part of it is exposed to sale; but, when anchor is cast, and the ship is stationed in port, to prevent all trouble whatever about visiting or searching, it shall be sufficient to have in readiness and produce letters of safe-conduct, or other papers

and, being
forced into
port, may sail
out freely,
on produ-
cing a pass-
port and cer-
tificates.

papers setting forth the intended voyage and certificates of the cargo : which being exhibited and shewn to the officers of either king, when the matter requires it, such ships shall be permitted to pursue their intended voyage without farther molestation.

Article XIV.

The ships of war, whether they belong to either of the said kings, or are privateers belonging to the subjects of either, when they meet with any merchant-ships either riding at anchor or sailing in the open sea, shall keep without cannon-shot of them, and shall not approach nearer, in order to prevent all damage and violence ; but they may send their boat or pinnace with two or three men only on board any merchant-ship, to whom the master or owner shall produce his passport and sea letters, prepared according to the form annexed to this treaty ; whereby they may be certified not only of the merchandises, with which the ship is laden, but also of the place, to which she belongs within the dominions of either king, and of the name of the ship, master and owners ; by which means it may be sufficiently known what sort of goods are on board her, and whether there are any such as are prohibited or contraband ; and who is the master or owner ; and what kind of a ship it is : moreover such passports and sea-letters shall be of the greater and more undoubted credit and authority, because, as well on the part of the king of *Great Britain*, as of the king of *Spain*,
they

Ships of war and privateers to keep at a distance from merchant-ships ; and only to send a boat with two or three men on board to examine the papers.

they shall be corroborated (if it is necessary) with certain countersigned certificates, by virtue of which they may become more authentick, and the imposition of false passports may be prevented.

Article XV.

Prohibited
goods ex-
ported are to
be confiscat-
ed, and no
other.

If any prohibited merchandises or goods are exported out of the kingdoms, dominions or territories of either king, by the people or subjects of the other, in such case the prohibited goods only, and no other, shall be confiscated; nor shall the delinquent in such case incur any farther penalty, unless he conveys away and exports out of the kingdoms or dominions of *Great Britain* any money or proper coin of that country, or wooll, or what they call fullers earth; or out of the dominions of the king of *Spain* any gold or silver, either coined or uncoined; in which cases the laws of each country shall on both sides have their full force and effect.

Article XVI.

All ships of
either nation
freely to en-
ter, remain
in, and depart
from any
ports of the
other.

The people and subjects of either king may come to and enter the ports of the other, and there abide and remain, and depart from thence with the same liberty and freedom on both sides; and that not only with their merchant-ships and other vessels used for trade and commerce, but likewise with ships of war fitted out either to resist or attack the enemy; and, if their ships are driven in by stress of weather, they may both repair their ships and furnish themselves

selves with provisions, as they may have occasion ;
 so as the number of ships, entering in of their own
 accord, may give no just cause of suspicion ; which,
 if they are ships of war, are not to exceed the num-
 ber of eight ; nor shall they continue within the bays
 or roads, or in the neighbourhood of the ports, any
 longer time than shall be judged necessary for the
 repair of their ships, or the taking in provisions ;
 much less shall they be the cause of any interruption
 or molestation of the commerce, or hinder the ap-
 proach or enterance of any ships belonging to any
 other nation whatever at peace with the king, to
 whom such port belongs. But, when a greater
 number than usual of ships of war shall by some
 accident approach any port, it shall not be lawful
 for them to enter into port, or cast anchor in the
 road, without having first obtained a permission to
 enter from the king himself, or from the governor
 of such port, unless they are forced in by the vio-
 lence of a storm, or to avoid some imminent dan-
 ger at Sea ; in which case they shall signify the cause
 of their arrival, as soon as possible, to the governor
 of the port, or chief magistrate of the place ; and
 they shall not continue there any longer than such
 governor or magistrate shall judge proper and expe-
 dient, much less shall they commit any act of hos-
 tility, against any others being in the same port,
 which may prove of prejudice to either of the said
 kings.

ther may re-
 pair, and fur-
 nish them-
 selves with
 provisions.

Ships of war
 not to exceed
 eight.

Not to stay
 longer than
 necessary ; or
 interrupt the
 commerce of
 the place.

Ships of war,
 more than
 usual, not to
 enter into
 port, or cast
 anchor, with-
 out permissi-
 on.

Article XVIII.

Ships and
subjects of
both nations
may carry all
kinds of
arms.

The merchants and subjects of both kings, and their agents and servants, as also their ships, masters and mariners, both in going and returning, as well upon sea and other waters, as in the havens and ports of either party, may carry and use all kind of arms, both offensive and defensive, without being obliged to register the same; they may likewise carry and use any portable arms upon land, if they please, for their private defense, according to the custom of the place.

Article XXI.

Free naviga-
tion and traf-
fick with all
neutral states.

The subjects and inhabitants of the kingdoms and dominions, under the obedience of the kings of *Great Britain* and *Spain* respectively, may with all security and liberty navigate and traffick throughout all the kingdoms, states and countries, cultivating peace, amity and neutrality, with either of the said kings.

Article XXII.

Navigation
and com-
merce not to
be interrupt-
ed by either
party.

The ships or subjects of either of the said kings shall in no way interrupt the said liberty by any hinderance or disturbance whatever, by reason of any hostility, which now is, or may be hereafter between either of the said kings, and any other kingdoms, dominions and states, being in friendship or neutrality with the other party.

Article

Article XXIII.

And in case any prohibited goods, commonly called contraband, which are specified in the following article, shall be discovered, by the abovesaid means, to be on board, they shall be taken out of the ship, and legally proceeded against and confiscated by the judges of the admiralty, or other competent judges; but so as the ship itself, and the other free and allowed goods, found in such ship, shall in no wise be seized or confiscated on that account.

Prohibited goods to be confiscated --
but the ship, and the goods not contraband, to go free.

Article XXIV.

Moreover, to prevent, as far as may be, all controversy, which may arise concerning such goods as are to be deemed prohibited or contraband, it is declared and agreed, that under that name are comprehended all fire-arms, as warlike ordnance, musquets, mortar-pieces, petards, bombs, granadoes, fire-crancels, fire-balls, carriages of guns, musquet-rests, bandeliers, gunpowder, match, salt-petre, bullets and balls; likewise under the same name of prohibited goods are comprehended all other kinds of arms, as pikes, swords, helmets, breast-plates, halberts, javelins, and such like: on the same account likewise is prohibited the transportation of soldiers and horses, together with their harnesses, cases of pistols, holsters, belts, and all kinds of warlike furniture whatever.

Contraband goods specified.

Article XXV.

Goods, not
contraband,
specified.

Likewise for the avoiding all matter of dispute and contention, it is agreed, that under the name of goods prohibited and contraband are not comprehended corn, wheat, or any other grain or pulse, salt, wine, oil, or any thing serving for the nourishment and support of life; but that they shall remain free; as likewise all other goods not mentioned in the foregoing article, the transportation of which shall be allowed even to places belonging to enemies, excepting cities and places besieged and blocked up.

Article XXVI.

All goods,
laden by ei-
ther party on
board an ene-
my's ship, to
be confisca-
ted.

Whatsoever shall be found laden by the subjects and inhabitants of the kingdoms and dominions of either of the said kings on board any ships, belonging to the enemies of either of the said kings, though such goods should not be of the prohibited kind, they shall be confiscated, together with all things else, which shall be found within any such ship, without exception or reserve.

Article XXXVIII.

Subjects of
both nations
to enjoy all
privileges,
granted by
either to any
other state.

The people and subjects of either of the said kings shall have and enjoy in the lands, seas, ports, havens, roads, and territories of the other, and in all other places whatever, all the same privileges, securities, liberties and immunities, whether they concern their persons

persons or trade, which have been already granted, or hereafter shall be granted, by either of the said kings, either to the *most Christian king*, or to the *States General* of the *United Provinces*, or to the *Hanse-towns*, or to any other kingdom or state whatever, by their treaties or royal cédulas, with all the beneficial and favourable articles and clauses contained in such grants, in as ample manner and form, and to as full and valid effect, as if the same were particularly transcribed and inserted in this present treaty.

Article XL.

It is likewise agreed and concluded, that the said *most serene kings* of *Great Britain* and *Spain* shall sincerely and faithfully observe, and cause to be observed and kept by their subjects and inhabitants respectively, all and singular the articles agreed on and established by this present treaty; and that they shall not contravene the same directly or indirectly, nor consent, that the same be contravened by their subjects and inhabitants respectively.

All the articles of this treaty to be faithfully observed by the subjects on both sides.

Formula literarum
certificatoriarum,
quibus urbes et
portus maritimi
naves et navigia
inde solventia di-
mittant.

*The form of the pass-
port, or certificatory
letters, to be given
by the towns and
sea ports to the ships
and vessels setting
sail from thence.*

OMnibus et singulis, ad
quos præsentes literæ
pervenerint, Nos præfecti,
consules, aut supremus ma-
gistratus, aut teloniorum
aut custumarum commis-
sarii urbis vel provinciæ
N. notum testatumque fa-
cimus, quod N. N. magi-
ster navis N. coram nobis,
mediante solenni juramento,
declaravit, navem N. dic-
tam tonnarum
(aut eo circiter) capacem,
cujus ipse est magister, ad
urbis N. N. incolas in do-
miniis serenissimi regis His-
paniorum, jure proprie-
tatis et dominii pertinere:
quoniam autem in justis
suis negotiis et itineribus

TO all, to whom these
presents shall come,
We the governors, consuls,
or chief magistrate, or
commissioners of the cus-
toms of the city, town,
or province of N. do tes-
tify and make known,
that N. N. master of the
ship N. hath before us
on solemn oath declared,
that the ship N. of
tuns, (or thereabouts) of
which he is at present
master, doth belong to
the inhabitants of N. in
the dominions of the most
serene king of Spain: and
we, being desirous that
the said master may be
well used and assisted in
his

*benigne acceptum et accom-
modatum vellemus, omnes
et singulas personas, quibus
dictum magistrum vel ob-
viam fieri, vel apud quos
illum cum navi sua &
mercibus suis appellere aut
subsistere contigerit, ut eum
benigne admittant, huma-
niter tractent, eumque ad,
in, & per portus, oras,
stationes navium, fluvios &
dominia, navigare, meare,
remeare, et negociari, pro-
ut ipsi visum fuerit, (illo
interim vectigalia, aliaque
tributa, quæ debebuntur,
exsolvente,) permittant, ro-
gamus; quod nos grato et
benevolo animo, prout offi-
ciorum vices se obtulerint,
agnoscemus. In cujus rei
testimonium præsentis lite-
ras manu signavimus, et
urbis nostræ sigillo muniri
fecimus.*

his voyage and busines, do intreat all persons, who shall meet him, and those of all places, where the said master shall come with the said ship and her merchandise, that they would admit him favourably, treat him kindly, and receive the said ship into their ports, bays, havens, rivers and dominions, permitting her quietly to sail, pass, repass, and trade there, or in any other places, as shall seem good to the said master, he paying all duties and customs, which of right shall be due; which we will acknowledge gratefully upon the like occasions. In witness whereof we have signed these presents, and sealed them with the seal of our town.

Extract from the treaty of *Munster*, made between *Spain* and the *States General* in the year 1648, mentioned and referred to in the eighth article of the preceding treaty of 1667, between *Great Britain* and *Spain*, and expressly taken into the said treaty of 1667, by the eighth article, and made part of the same, especially as to the *Indies*.

Article IV.

Good correspondence,
free access,
and commerce.

THE subjects and inhabitants of the countries of his *Catholic* majesty and the *States General* shall hold a good correspondence and friendship together, without any resentment of past offenses or injuries; and may likewise frequent and sojourn in the countries of each other, and carry on their trade and commerce therein with all safety, as well by sea and other waters as by land.

Article VI.

The subjects
of both nations
not to fail or trade
in places belonging
to either in the
West Indies.

And, as for the *West-Indies*, the subjects and inhabitants of the kingdoms, provinces, and lands of the said king and states respectively, shall abstain from sailing and trading in all havens, towns and places, where there are any forts, lodges or castles, and all other places possessed by either party, *viz.* that the subjects of the said king shall not sail and trade

trade in the places held by the said states, nor the subjects of the said states in those held by the said king.

Article XI.

Society, conversation and commerce, among the respective subjects shall not be hindered; and, if any Commerce not to be interrupted. hinderances or impediments happen, they shall be really and effectually removed.

Article XX.

The merchants, masters of ships, pilots, seamen, Ships, mariners, merchandises, &c. their ships, merchandises, commodities, and other goods belonging to them, shall not be seized and of one party not to be arrested by the other, except for the sake of justice. arrested, either by virtue of any general or particular commission, or for any other cause whatever, nor upon the account of war or otherwise, nor even under pretext of employing them for the preservation and defense of the country. It is not however hereby intended to comprehend the seizures and arrests of justice in the ordinary methods upon account of the debts, proper obligations, and valid contracts of those, upon whom such seizures shall have been made; in which case actions and suits shall be carried on according to right and reason.

Article XXIII.

Neither party shall land, or enter into, or stop at Neither party to enter the ports of the other with any havens, ports, shores or roads, belonging to the other party, with any ships of war in such number

such a number as may give suspicion, without the licence and permission of him, under whose obedience such havens, ports, shores or roads are, unless they should be forced in by stress of weather, or some other necessity, and to avoid some danger of the sea.

CHARLES II. *American* treaty between *Great Britain*
 CHARLES II. and *Spain*, for composing differences,
 1670. restraining depredations and all injuries, and establishing a good correspondence in *America*, concluded at *Madrid*, July 8, 1670.

Article I.

Treaty of
 1667 confirmed.

THE treaty of peace and friendship, made between the crowns of *Great Britain* and *Spain*, on the 13th day of *May* 1667, or any clause thereof, shall in no wise be deemed or understood to be revoked or abrogated by the present articles or convention; but the same shall for ever remain in it's former force, strength and vigour, so far as it is not contrary or repugnant to this present treaty, or any articles thereof.

Article II.

Universal
 peace and
 amity in *America*, and
 elsewhere.

That there be an universal peace, and true and sincere amity, as well in *America* as in the other parts of the world, between the kings of *Great Britain* and *Spain*, their heirs and successors, and also
 between

between the states, kingdoms, colonies, forts, cities, governments and islands, without any distinction of places under the dominion of either, and between their people and inhabitants respectively; which shall indure from this day for ever, and shall be religiously observed, as well by land as by sea, and in all waters; so that the one shall promote the welfare and advantage of the other; and the people shall assist and favour each other with all mutual good will and friendly affection; and that good neighbourhood and true peace and amity may be cultivated and increase daily on all sides in those remote countries, as in those, which are nearer.

Article VII.

The king of *Great Britain*, his heirs and successors, shall have, hold, and possess for ever, with full right of sovereign dominion, property and possession, all lands, countries, islands, colonies and dominions whatever, situated in the *West Indies*, or in any part of *America*, which the said king of *Great Britain* and his subjects do at this present hold and possess; so that in regard thereof, or upon any colour or pretense whatever, nothing may or ought ever to be urged, nor any question or controversy ever moved concerning the same hereafter.

King of
Great Britain
to hold all he
now possesses
in the *West*
Indies, or in
America.

Article VIII.

The subjects and inhabitants, merchants, captains, masters of ships, and mariners of the kingdoms, provinces, and countries of both kings respectively, shall

Subjects of
both kings to
forbear all
commerce

and navigation in places possessed by either party in the *West Indies*.

shall abstain and forbear from all commerce and navigation into the ports and places, which have forts, castles, or ware-houses for merchandise, and all other places, which are possessed by the other party in the *West Indies*; to wit, the subjects of the king of *Great Britain* shall not set on foot or carry on any traffick, navigation or commerce, in the ports or places, which the king of *Spain* holds in the said *Indies*; nor on the other hand shall the subjects of the king of *Spain* set on foot or carry on any navigation or commerce to those places, which are there possessed by the king of *Great Britain*.

IX.

Licences being granted by either party to trade in the dominions of the other, commerce shall be exercised according to the tenor of such licences.

But, if in process of time either king shall think fit to grant to the subjects of the other any general or special licence or privilege of navigating and trading in any places belonging to the dominion of him, who shall grant such licences and privileges, the said navigation and commerce shall be exercised and maintained according to the form, tenor, and effect of such permissions and privileges, as shall be so allowed and granted; and this present treaty and ratification thereof shall serve as a guaranty for the same.

Article X.

All ships of one confederate, forced into the places and harbours of the

If the subjects and inhabitants of either of the confederates with their ships (whether they are publick ships and of war, or merchant-ships and private property) shall be driven by stress of weather, or forced

forced by pursuit of pirates and enemies, or any other distress, for the sake of shelter and harbour, to retreat and enter into any of the rivers, creeks, bays, havens, roads and shores whatever, belonging to the other confederate in *America*, they shall be received and treated there with all humanity and kindness, and enjoy all friendly protection; they shall likewise have intire liberty to refresh themselves, and provide themselves at reasonable and usual rates with provisions and all things necessary for the sustenance of their persons, or the reparation of their ships, and for facilitating their voyage: they shall likewise on no account be hindered on either side from departing and going out of such port or road; but it shall be lawful for them to remove and depart from thence at their pleasure, whenever and whithersoever they shall think fit, without any molestation or impediment.

Article XI.

Likewise if the ships of either confederate, or of the subjects of either, (which God forbid,) shall be stranded, cast away, or wrecked, or suffer any damage whatever on the coasts, or within any of the dominions of the other, it shall not be lawful to make prisoners of the persons so cast away or suffering damage, or to carry them into slavery; but, on the contrary, the persons endangered or shipwrecked shall have all friendly assistance and relief, and be furnished with letters of safe-conduct, so that they

other in *America*, shall be well received.

Persons belonging to ships stranded or wrecked shall be protected.

may pass from thence freely and without molestation, and every man return to his own country.

Article XII.

Ships of one party, being three or four in number, and driven into the ports of the other, must signify the cause of their arrival, and stay no longer time, than is allowed and necessary.

But, when the ships of either party (as is above-mentioned) shall, through the danger of the sea, or from any other urgent cause, be compelled and driven into the ports of the other, if they are three or four in number, and may give just ground of suspicion, the cause of their arrival shall be forthwith signified to the governor or chief magistrate of the place; and they shall not stay there any longer time, than shall be allowed them by the said governor or magistrate, and shall be convenient and reasonable for supplying themselves with provisions, and for repairing and fitting out their ships; but care shall always be taken, that they do not dispose of their cargo, or carry out of the ships, and expose to sale, any of the goods or packs; neither shall they receive any merchandise on board them from the other party, or do any thing contrary to this treaty.

Article XV.

Confirmation of the rights of both parties in the American seas.

The present treaty shall not in any respect derogate from any pre-eminence, right and dominion whatever, of either of the confederates in the *American* seas, straits and waters whatever, but they may have and retain the same to themselves, in as full and ample manner as of right belongs to them. But be it always understood, that the freedom of navigation ought

ought in no wise to be interrupted, nor any thing done, nor any offense committed, contrary to the genuine sense of these articles.

Treaty of peace between *Great Britain* and *Spain*, concluded at *Utrecht*, July 2, 1713.

ANNE.
PHILIP V.
1713.

Article VIII.

THAT there be a free use of navigation and commerce between the subjects of both kingdoms, as it was heretofore in time of peace, and before the declaration of the late war, in the reign of *Charles II.* king of *Spain*, according to the treaties of friendship, alliance and commerce, which were formerly made between both nations, and according to antient customs, letters patent, cedulas, and other special acts; and also according to the treaty or treaties of commerce newly made, or forthwith to be made at *Madrid*.

Free navigation and commerce, as before the late war.

Article IX.

It is farther agreed and concluded, as a general rule, that all and singular the subjects of each kingdom shall in all countries and places on both sides have and enjoy at least the same privileges, liberties, and immunities, as to all duties, impositions, or customs whatever, relating to persons, goods or merchandises, ships, freight, seamen, navigation and commerce;

Subjects of both parties to have the same immunities as the subjects of *France*, or the most favoured nation.

commerce; and shall have the like favour in all things as the subjects of *France* or any other foreign nation, the most favoured, have, possess, and enjoy, or at any time hereafter may have, possess, and enjoy.

Article XV.

All former
treaties re-
newed and
confirmed.

Newfound-
land fishery.

Their royal majesties do on both sides renew and confirm all treaties of peace, friendship, alliance and commerce, heretofore made and concluded between the crowns of *Great Britain* and *Spain*, and the said treaties are renewed and confirmed by this present treaty, in as full and ample manner as if they were now particularly inserted; that is to say, so far as they are not found contrary to the treaties of peace and commerce, which were last made and signed. And, whereas it is insisted on the part of *Spain*, that certain rights of fishing at the island of *Newfoundland* belong to the *Guipuscoans*, or other subjects of his *Catholic* majesty, her *Britannick* majesty consents and agrees, that all privileges, which the *Guipuscoans*, or other people of *Spain*, shall be able to make claim to by right, shall be preserved to them safe and intire.

Treaty

Treaty of navigation and commerce between *Great Britain* and *Spain*, concluded at *Utrecht*, November 28, 1713.

ANNE.
PHILIP V.

1713.

Article I.

THE treaty of peace, commerce, and alliance, concluded at *Madrid* between the crowns of *Great Britain* and *Spain*, the 13th day of *May*, 1667, is ratified and confirmed by this present treaty; and, for the greater corroboration and confirmation thereof, it hath been thought proper to insert the same here *verbatim* —

Treaty of
peace and
commerce
of 1667 con-
firmed.

[See the treaty of 1667, page 80.]

Their royal majesties do mutually promise, that they will faithfully perform and fulfill all and singular the articles of the preceding treaty, and all privileges, concessions, agreements, or other advantages whatever, arising to the subjects on either side, which are contained therein; and that they will at all times cause the same to be performed and fulfilled by their ministers, officers, and other subjects, so that the subjects on each side may enjoy the full effects of all and every of them. Moreover the treaty of 1670, made between the crowns of *Great Britain* and *Spain*, for putting an end to all differences, restraining depredations, and establishing peace between the said crowns in *America*, is again ratified and confirmed,

Mutual sti-
pulations for
the perform-
ance of this
treaty.

American
treaty of
1670 con-
firmed.

confirmed, without any prejudice to any contract or other privilege or licence, granted by his *Catholic* majesty to the queen of *Great Britain* or her subjects, in the late treaty of peace, or in the contract of *Affiento*; as likewise without prejudice to any liberty or licence, which the subjects of *Great Britain* enjoyed before, either of right, or by sufferance or indulgence.

Article VI.

And as the use and liberty of navigation and commerce ought to remain on both sides intire, secure, and free from all molestation, to the subjects of both their royal majesties, as long as the peace and friendship, entered into between their said majesties and their crowns, shall subsist; so likewise their majesties have thought fit to provide, that their said subjects shall not be deprived of that security, by reason of any sparks of discord, which may arise, but on the contrary they shall enjoy the full benefit of peace, so long as war shall not be declared between the two crowns. And it is farther agreed, that, if it should happen (which God prevent) that war should arise, and be declared between their majesties and their kingdoms, then, after the declaration of such a rupture, the space of six months shall be allowed to the subjects of each party, residing in the dominions of the other, in which they shall be permitted to withdraw with their families, goods, merchandises, effects and ships, and to transport them, after having paid

Six months
allowed to
the subjects
of each party
to withdraw
their effects
after a declaration
of
war.

paid the due and accustomed imposts, either by sea or land, to whatever place they please; and they shall also be suffered to sell and alien their moveable and immoveable goods, and freely and without any disturbance to carry away the price of them; nor shall their goods, wealth, merchandises or effects, much less their persons, be in the mean time detained or molested by any seizure or arrest. Moreover the subjects on each side shall in the mean time enjoy and obtain quick and impartial justice, by means of which they may, before the expiration of the six months, recover the goods and effects, which they have intrusted, as well to the publick, as to private persons.

Subjects on each side to obtain speedy justice for the recovery of their effects, before the expiration of six months.

Treaty of commerce between *Great Britain* and *Spain*, concluded at *Madrid*, December 14, 1715.

GEORGE I.
PHILIP V.
1715.

Article III.

HIS *Catholick* majesty allows the subjects of *Great Britain* to gather salt in the island of *Tortudos*, they having enjoyed that permission in the time of king *Charles II.* without interruption.

British subjects to gather salt at *Tortudos*.

Article V.

The *British* subjects shall enjoy all the rights, privileges, franchises, exemptions and immunities whatever, which they enjoyed before the last war, by virtue

British subjects to enjoy all the privileges, which they enjoyed before the war.

P

Treaty of
1667 con-
firmed.

virtue of the royal cédulas or ordinances, and by the articles of the treaty of peace and commerce, made at *Madrid* in the year 1667; which is hereby fully confirmed; and the like shall be granted, observed, and permitted to the subjects of *Spain*, in the dominions of the king of *Great Britain*.

Article VII.

Treaty of
commerce
made at
Utrecht in
1713 con-
firmed.

The treaty of commerce, made at *Utrecht* on the 28th of *November* O. S. 1713, shall continue in force, excepting such articles as shall be found contrary to what is this day concluded and signed.

GEORGE I.
PHILIP V.
1721.

Treaty of peace between *Great Britain* and *Spain*, concluded at *Madrid*, June 13, 1721.

Article II.

Treaties of
1713, 1667,
and 1715
confirmed.

THE treaties of peace and commerce, concluded at *Utrecht* on the 2^d of *July* and on the 28th of *November* } 1713, (in which is comprehended the treaty
9th of *December* } made at *Madrid* in 1667) and also the treaty made at *Madrid* on the 14th of *December* 1715, shall stand confirmed, and remain in their full force, virtue and vigour in every thing, wherein they are not contrary to this present treaty.

Treaty

Treaty of defensive alliance between *Great Britain* [*France*] and *Spain*, concluded at *Madrid*, June 13, 1721. GEORGE I.
PHILIP V.
1721.

Article VI.

HIS *Catholick* majesty, being desirous of giving his *Britannick* majesty a particular proof of his friendship, confirms, as far as there may be occasion, all advantages and privileges heretofore granted by the kings his predecessors to the *English* nation; so as the trading subjects of the king of *Great Britain* shall always enjoy in *Spain* the same rights, prerogatives, advantages and privileges for their persons, commerce, merchandise, estates and effects, which they either have or ought to have enjoyed by virtue of treaties and stipulations, or which have or shall be granted in *Spain* to any the most favoured nation. Privileges of
trade con-
firmed to the
English.

Treaty of peace, union, friendship, and mutual defense, between the crowns of *Great Britain* [*France*] and *Spain*, concluded at *Seville*, November 9, 1729. GEORGE II.
PHILIP V.
1729.

Article I.

ALL preceding treaties and conventions of peace, amity, and commerce, concluded between the contracting powers, shall be, as they hereby are, All preced-
ing treaties
renewed and
confirmed. effectually

effectually renewed and confirmed in all points, which are not derogated from by the present treaty, in as full and ample manner as if the said treaties were here inserted word for word; their said majesties promising neither to do, nor suffer any thing to be done, which may be contrary thereto, directly or indirectly.

Article IV.

Commerce
to be re-esta-
blished on
the foot of
treaties ante-
cedent to the
year 1725.

It having been agreed by the preliminary articles, that the commerce of the *English* nation, as well in *Europe* as in the *Indies*, should be re-established on the foot of the treaties and conventions antecedent to the year 1725; and particularly, that the commerce of the *English* nation in *America* should be exercised as heretofore; it is agreed by the present article, that all necessary orders shall be dispatched on both sides, without any delay, if it hath not been done already, as well for the execution of the said treaties of commerce, as for supplying whatever may be wanting for the intire re-establishment of commerce on the foot of the said treaties and conventions.

Separate Article I.

Treaties of
1667, 1713,
and 1715,
confirmed.

The treaties of peace and commerce concluded at *Utrecht* on the 2d of *July* and the 28th of *November* 1713, (in which is comprized the treaty of 1667,) and the treaty made at *Madrid* on the 14th of *December* 1715, shall from this day be and remain in their full force, virtue and vigour.

Definitive

Definitive treaty of peace and friendship GEORGE II.
FERDI-
NAND VI.
between *Great Britain* and *Spain* [and
other powers] concluded at *Aix la Cha-
pelle*, on $\frac{18}{29}$ October, 1748.

Article III.

THE treaties of *Westphalia* of 1648; those of Treaties
confirmed.
Madrid, between the crowns of *England* and
Spain, of 1667 and 1670; the treaties of peace of
Nimeguen of 1678 and 1679; of *Ryswick* of 1697;
of *Utrecht* of 1713; of *Baden* of 1714; the treaty
of the triple alliance of the *Hague* of 1717; that of
the quadruple alliance of *London* of 1718; and the
treaty of peace of *Vienna* of 1738, serve as a basis
and foundation to the general peace, and to the
present treaty; and, for this purpose, they are re-
newed and confirmed in the best form, and as if they
were herein inserted, word for word; so that they
shall be punctually observed for the future in all
their tenor, and religiously executed on the one side
and the other; such points however excepted, as
have been derogated from in the present treaty.

Treaty

GEORGE II.
FERDI-
NAND VI.
1750.

Treaty between *Great Britain* and *Spain*,
concluded at *Madrid*, October 5, 1750.

Article V.

British sub-
jects to take
salt at *Tor-*
tudos.

HIS *Catholick* majesty allows the *British* subjects to take and gather salt in the island of *Tortudos*, without any hinderance whatever, as they did in the time of king *Charles II*.

Article VII.

British sub-
jects to enjoy
the same pri-
vileges, which
they enjoyed
before the last
war by royal
cedulas, and
by the treaty
of 1667.

The *British* subjects shall enjoy all the rights, privileges, franchises, exemptions and immunities whatever, which they enjoyed before the last war by virtue of cedulas or royal ordinances, and by the articles of the treaty of peace and commerce, made at *Madrid* in 1667; and the said subjects shall be treated in *Spain* in the same manner as the most favoured nation, and consequently no nation shall pay less duties upon wooll, and other merchandises, which they shall bring into, or carry out of *Spain* by land, than the said subjects shall pay upon the same merchandises, which they shall bring in or carry out by sea. And all the rights, privileges, franchises, exemptions and immunities, which shall be granted and permitted to any nation whatever, shall also be granted and permitted to the said subjects; and his *Britannick* majesty consents, that the same be granted to the subjects of *Spain* in his *Britannick* majesty's kingdoms.

Article

Article IX.

Their *Britannick* and *Catholick* majesties confirm, by Treaty of the present treaty, the treaty of *Aix la Chapelle*, and *Aix la Chapelle*, and the all the other treaties therein confirmed, in all their treaty of articles and clauses, excepting those, which have been commerce at *Utrecht*, derogated from by the present treaty; as likewise confirmed. the treaty of commerce concluded at *Utrecht* in 1713, those articles excepted, which are contrary to the present treaty.

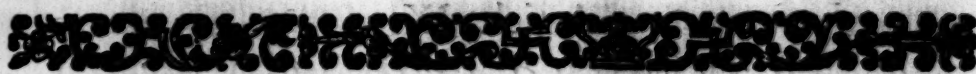
Treaty of peace and commerce between the
republick of England and the States
General, concluded at *Utrecht*, April
1654.

This is the first treaty between England and the States
General after the year 1648, when Philip IV.
king of Spain, by the treaty of *Munster*, restored
the seven United Provinces of the Low Countries
to be free and sovereign states.

Article I.

It is agreed and concluded, that from
this day forward there be a true, firm
and inviolable peace, a sincere and
close friendship, alliance,
concordancy and union between the
republick of England and the States General of the
United

Peace and
friendship.



TREATIES

WITH THE

STATES GENERAL.



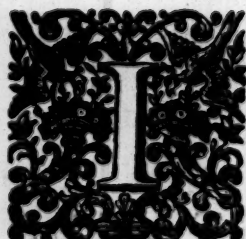
OL. CROM.
Protector.
1654.

Treaty of peace and commerce between the
republick of *England* and the *States*
General, concluded at *Westminster*, April
5, 1654.

*This is the first treaty between England and the States
General after the year 1648, when Philip IV.
king of Spain, by the treaty of Munster declared
the seven United Provinces of the Low Countries
to be free and sovereign states.*

Article I.

Peace and
friendship.



It is agreed and concluded, that from
this day forward there be a true, firm
and inviolable peace, a sincere inti-
mate and close friendship, affinity,
confederacy and union, between the
republick of *England* and the *States General* of the
United

United Provinces of the Netherlands, and the lands, countries, cities and towns, under the dominion of each, without distinction of places, together with their people and inhabitants of what degree soever.

Articles XII. XIII. XIV. XVII. XVIII. XIX. XX. XXI. XXII. and XXVI. being all, which are relative to the marine in this treaty, are word for word the same as articles XVIII. XIX. XX. XXIV. XXV. XXVI. XXVII. XXVIII. XXIX. and XXXIV. of the treaty of 1667.

Treaty of peace and alliance between *Great Britain* and the *States General*, concluded at *Whitehall*, September $\frac{4}{14}$, 1662.

Articles IX. X. XI. and XII. of this treaty are verbatim the same as articles XVIII. XIX. XX. and XXI. of the following treaty of 1667.

Article XIV.

IF it shall happen, during this friendship, confederacy and alliance, that any thing shall be done or attempted by any of the subjects or inhabitants of either party against this treaty, or any part thereof, by land, sea, or fresh waters, nevertheless this amity and alliance between the said nations shall not thereby be broken or interrupted, but shall remain and continue

This peace not to be interrupted by the subjects of either party.

The particu-
lar persons
offending,
and no other,
to be punish-
ed, and make
satisfaction.

Offenders,
not appear-
ing, are to be
declared ene-
mies, and for-
feit their
effects.

continue in full force ; and only those particular persons shall be punished, who have committed any thing against this treaty, and none else ; and justice shall be rendered, and satisfaction given, to all persons concerned, by all those, who have committed any thing contrary to this treaty, by land or by sea, or other waters, in any part of *Europe*, or any places within the straits of *Gibraltar*, or in *America*, or upon the coasts of *Africa*, or in any lands, islands, seas, creeks, bays, rivers ; or in any places on this side the *Cape of Good Hope*, within the space of a year after justice shall be demanded ; and in all places whatever on the other side the *Cape of Good Hope* within eighteen months after justice shall be demanded, as aforesaid. But in case the offenders against this treaty do not appear, and submit themselves to judgement, and give satisfaction within the respective times above expressed, according to the distance of the places, they shall be declared enemies of both parties ; and their estates, goods, and revenues whatever, shall be confiscated for due and full satisfaction of the injuries and wrongs by them offered ; and their persons also, when they come within the dominions of either party, shall be liable to such punishments as every one shall deserve for his respective offenses.

Articles XVI. XVII. XVIII. XIX. XX. XXI. and XXV. of this treaty are word for word the same, as articles XXIV. XXV. XXVI. XXVII. XXVIII. XXIX. and XXXIV. of the following treaty of 1667.

Treaty

Treaty of peace and alliance between *Great Britain* and the *States General*, concluded at *Breda*, July $\frac{21}{31}$, 1667. CHARLES II.
1667.

Article IX.

WHEREAS in countries far remote, as in *America* and *Africa*, especially in *Guinea*, certain protestations and declarations, and other writings of that kind, prejudicial to the liberty of trade and navigation, have been emitted and published on either side by the governors and officers, in the name of their superiors, it is agreed, that all and every such protestations, declarations, and writings afore-said, shall be abolished, and held hereafter for null and void; and that the subjects and inhabitants of each party may use and enjoy the same liberty of trade and navigation, as well in *Africa* as in *America*, which they used and enjoyed, or of right might have used and enjoyed, at the time of the conclusion of the treaty of 1662.

Liberty of trade, in *Africa* and *America*, the same as in 1662.

Article XVIII.

That the king of *Great Britain* and his subjects, and all the inhabitants of his majesty's dominions, and also the said *United Provinces*, and their people and inhabitants, of what rank or condition soever they be, shall be bound to treat each other in a kind and friendly manner in all things; so that they may freely and safely pass by land or by water into each others

Free passage and trade for the subjects of each party to all places in *Europe*.

others countries, cities, towns, walled or not walled, fortified or not fortified, and likewise their ports and all other their dominions, situated in *Europe*; and continue and abide therein as long as they please, and there buy such provisions as shall be necessary for their use, without any hinderance; and likewise trade and traffick in such goods and commodities of all sorts, as to them shall seem fit, and export and import them at their pleasure, as long as they pay the usual duties, and observe all the laws and ordinances of both nations: provided nevertheless, that the subjects and inhabitants of either party, carrying on their trade in the countries and dominions of each other, shall not be obliged hereafter to pay any more or other customs, imposts, or other duties, than according to that proportion, which other foreigners, trading in the same places, do usually pay.

Article XIX.

All Dutch
ships to strike
to the British
ships of war.

That the ships and vessels of the said *United Provinces*, as well ships of war as others, meeting any ships of war belonging to the said king of *Great Britain* in the *British* seas, shall strike the flag and lower the top-sail, in such manner as the same hath been formerly observed in any times whatever.

Article XX.

And, for the greater freedom of commerce and navigation, it is agreed and concluded, that the said king of *Great Britain*, and the said *States General*,
shall

shall not receive into their ports, cities and towns, or suffer, that any of the subjects of either party do receive any pirates or sea-rovers, or afford them any entertainment, assistance or provisions; but shall endeavour, that all such pirates and sea-rovers, and their piratical accomplices, sharers and abettors, be found out and apprehended, and that they suffer condign punishment for a terror to others: and all the ships, goods and commodities, piratically taken by them, and brought into the ports of either party, which can be found, even although they are sold, shall be restored to the right owners, or satisfaction shall be given either to their owners, or to those, who, by virtue of letters of attorney, shall demand the same; provided their right and property therein is made to appear in the court of admiralty by due proofs according to law.

Pirates and
their accom-
plices to be
punished.

Goods, pira-
tically taken,
to be restor-
ed.

Article XXI.

The subjects of the king of *Great Britain*, and the inhabitants of the kingdoms and countries under his obedience, as likewise the inhabitants and subjects of the *United Provinces*, shall not be permitted to do or offer any violence or hostility to each other, either by land or by sea, upon any pretense or colour; and consequently it shall not be lawful for the said subjects or inhabitants to procure commissions or letters of reprisals from any prince or state, with whom either of the confederates is at variance, or in open war; and much less by virtue of such letters to molest

The subjects
of one party
not to act
under any
commission
from a prince
at war with
the other.

Privateers,
belonging to
the enemy of
either party,
not to be fit-
ted out, or
suffered to sell
their prizes
in the ports
of the other.

Ships or
goods, taken
by the ene-
my of one
party, and
bought by
the subjects
of the other
party, to be
restored.

Free passage
and trade in
Europe.

molest or do any damage to the subjects of either party ; neither shall it be lawful for any foreign privateers, who are not subjects to the one or other of the confederates, having commissions from any other prince or state, to fit out their ships in the ports of either of the aforesaid parties, or to sell their prizes, or put the same to ransom, or any other way to truck either the ships and goods, or any other lading whatever ; and they shall not even be allowed to buy any provisions, but what shall be necessary to bring them to the next port of that prince, from whom they obtained their said commissions : and, if perchance any one of the subjects of the said king of *Great Britain*, or of the said *States General*, shall buy or get to himself by truck, or any other way, any ship or goods, which have been taken from the subjects of the one or the other party, in such case the said subject shall be bound to restore the said ship or goods to the owners without any delay, and without any compensation or reimbursement of money, which may have been paid or promised for the same ; provided, that such owners make it appear before the council of the said king of *Great Britain*, or before the said *States General*, that they are the right owners and proprietors of the same.

Article XXIV.

The subjects of the said king of *Great Britain*, and those, who are under his dominion, may freely and securely travel in and through all the *Provinces* of the

the *United Netherlands*, and all their dominions in *Europe*, by sea or land, and pass to any other places therein or beyond them, and through all quarters of the *United Provinces*, and all cities, forts or garrisons whatever, which are or shall be in any other their dominions in *Europe*, and may trade in all those places, as likewise their agents, factors and servants; and may go armed or unarmed, (but, if armed, not above forty in a company) as well without their goods and merchandises, as with them, wheresoever they please. The people also and inhabitants of the *United Provinces* shall enjoy the same liberty and freedom in all the dominions of the said king in *Europe*; provided, that they and every of them do in their trade and merchandising yield due obedience to the laws and ordinances of either nation respectively.

Article XXV.

If the merchant-ships, belonging to the subjects of either nation, shall by storm, pirates, or any other necessity whatever be driven into any port under the dominion of either, they may depart securely and at their pleasure with their ships and goods, without paying any customs or other duties; provided they do not break bulk, nor sell any thing; nor shall they be subject to any molestation or search, provided they do not take on board any persons or goods, nor do any thing else contrary to the laws, ordinances, or customs of the places, where they shall happen to arrive as aforesaid.

Merchant-ships, driven into the ports of either party, to depart freely.

Article

Article XXVI.

Ships of neither party to be detained by the other.

Merchants, masters and mariners, of either party, or their ships, goods, wares, or merchandises, shall not be arrested or detained in the lands, ports, roads or rivers of the other to serve in war, or for any other service, by virtue of any general or special order, unless upon an extraordinary necessity, and then just satisfaction shall be made; but so as this shall be no prohibition or hinderance of any embargoes or arrests, duly made and in the ordinary course, according to the laws of either country.

Article XXVII.

Use of arms allowed on both sides.

Merchants on both sides, their factors and servants, and also the masters and other mariners, as well going as returning in their ships by sea and other waters, as also in the ports of either party, or going on shore, may carry and use, for the defense of themselves and their goods, all sorts of arms, as well offensive as defensive; but, coming into any lodgings or inns, they shall there lay by and leave their arms, until they go on board again.

Article XXVIII.

Ships of war of one party to protect the merchant-ships of the other.

Ships of war, or convoys of either nation, meeting or over-taking at sea any merchant-ships, or vessels belonging to the subjects or inhabitants of the other, holding the same course, or going the same way, shall be bound, as long as they keep one course together,

together, to protect and defend them against all attacks whatever.

Article XXIX.

If any ship or ships, belonging to the subjects or inhabitants of either party, or of any other nation in neutrality with them, shall be taken in the ports of either nation by any persons, not being subjects or inhabitants of either nation, they, in whose port, or from whose port or dominion, whatever such ships shall be taken, shall be obliged to endeavour jointly with the other party, that the said ship or ships be pursued, brought back, and restored to the owners; but this shall be done at the charges of the owners, or persons having an interest therein.

Ships of one party, taken by an enemy in the ports of the other, to be pursued and restored.

Article XXXII.

If it shall happen at any time (which God of his mercy forbid) that the differences now composed between his said majesty and the said *States General* should break out again into open war, it is agreed, that those ships, merchandises, or any kind of moveables of either party, which shall be found to be and remain in the ports, and under the power of the adverse party on either side, shall not upon that account be confiscated or detained, but the full space of six months shall be allowed to the subjects and inhabitants on both sides, that they may transport from thence the aforementioned things, and any thing else, which belongs to them, whither they shall think fit, without any kind of molestation.

Six months allowed for the removal of effects in case of war.

R.

Article

Article XXXIV.

Free ingress
and egress
for all ships
into, and out
of, all ports.

Ships of war,
exceeding
eight, not to
enter a port
without leave,
unless forced
in.

The subjects and inhabitants of either party shall always have free access to the sea-ports of each other, there to remain, and from thence to depart with equal liberty; and not only with their merchant-ships and cargoes, but also with their ships of war, whether they belong to the said king, or to the said *States General*, or unto such as have obtained special commissions from either; and whether they put in through stress of weather, or other casualty of the seas, or in order to repair their ships, or buy provisions; so that they exceed not the number of eight ships of war, when they come in voluntarily; but they shall not remain or abide longer in such ports, or places adjacent, than shall be requisite to repair their said ships, or to buy provisions or other necessities: and if a greater number of ships of war should be willing upon occasion to come into such ports, they shall in no case enter therein, until they have first obtained leave from those, to whom such ports shall appertain; unless they are compelled by storm, or some force or necessity, to avoid the danger of the sea; in which case also they shall presently make known the cause of their coming unto the governor or chief magistrate of the place, and shall stay no longer than the said governor or chief magistrate shall permit them; and shall not attempt any act of hostility or other prejudicial act in the aforesaid ports, during their abode there.

Provisional

Provisional treaty of navigation and com-
 merce between *Great Britain* and the
States General, concluded at *Breda* on
 the same day with the general treaty of
 peace and alliance, viz. July $\frac{21}{31}$, 1667.

CHARLES II.
 1667.

This treaty, though provisional, has been renewed and confirmed by subsequent treaties.

Article III.

IT is covenanted and agreed [between the king of
Great Britain and the *States General*] that the
 treaty of navigation and commerce, made between
 the most *Christian* king and the *States General*, [in
 the year 1662] from the 26th to the 42d article in-
 clusively, in like manner as here inserted in the *French*
 language, may provisionally serve for a rule and law,
 and so make way for concluding a more perfect and
 complete treaty, concerning maritime commerce, be-
 tween the above-mentioned parties.

Treaty of
 1662, be-
 tween *France*
 and the *States*,
 referred to.

*In this place is inserted part of the above-named ma-
 rine treaty of 1662 between France and the States
 General, from the 26th to the 42d article in-
 clusively; but, as all these articles, being 17 in
 number, are to be found almost word for word in
 the marine treaty of February 7, 1667-8, the
 reader is referred to that treaty.*

CHARLES II. 1667-8. Definitive treaty of alliance between *Great Britain* and the *States General*, concluded at the *Hague*, January $\frac{13}{23}$, 1667-8.

Preamble.

Treaty of
Breda con-
firmed.

THE king of *Great Britain* and the *States General* have agreed to confirm the treaty concluded at *Breda*, and the rules and articles of commerce thereto belonging; mutually obliging themselves to a sincere and perpetual observance of them, and to cause them to be strictly observed by their subjects on both sides, according to the genuine sense and meaning of the said treaty and articles.

CHARLES II. 1667-8. Treaty of commerce between *Great Britain* and the *States General*, concluded at the *Hague* on February $\frac{7}{17}$, 1667-8.

Article I.

Free trade for
the *British*
subjects, even
with the ene-
mies of the
States General.

ALL the subjects and inhabitants of *Great Britain* may with all safety and freedom sail and traffick in all the kingdoms, countries and estates, which are or shall be in peace, amity, or neutrality with *Great Britain*, without any hinderance or molestation from the ships of war, gallies, frigates, barques, or other vessels belonging to the *States General*, or any of their subjects,

subjects, upon occasion and account of any war, which may hereafter happen between the said *States General* and the abovesaid kingdoms, countries and estates, or any of them, which are or shall be in peace, amity, or neutrality with *Great Britain*.

Article II.

This freedom of navigation and commerce shall extend to all sorts of merchandise, excepting ^{Contraband goods excepted.} contraband goods.

Article III.

This term of contraband goods is to be understood to comprehend only all sorts of fire-arms and their ^{Contraband goods specified.} appertinances, as cannon, musquets, mortar-pieces, petards, bombs, granadoes, fire-crancels, fire-balls, carriages, rests, bandeliers, powder, match, salt-petre, bullets, pikes, swords, morions, head-pieces, coats of mail, halberts, javelins, horses, horse-furniture, holsters, belts, and other utensils of war, called in *French*, *Assortiments servans à l'usage de la guerre*.

Article IV.

Under the head of contraband goods these following shall not be comprehended, corn, wheat, or other grain, pulse, oils, wines, salt, or generally any thing, which appertains to the nourishment or sustenance of life, but they shall remain free, as likewise all other merchandise and commodities, not comprehended ^{What goods shall not be contraband, and may be carried to the enemies of the States.}

hended in the foregoing article; and the transportation of them shall be permitted even unto places at enmity with the said *States General*; except such cities and places, as are besieged, blocked up, or invested.

Article V.

English merchant-ships in Dutch ports, and bound to an enemy's port, must shew their passports.

It is agreed, for the due execution of what is above-mentioned, that the ships or vessels of the *English*, laden with merchandise, being entered into any port of the said *States General*, and purposing to pass from thence into places at enmity with the said *States*, shall be only obliged to shew, to the officers of such port of the said *States*, their passports, containing a specification of their cargo, attested and marked with the ordinary seal of the officers of the admiralty of those places, from whence they first came, together with a designation of the place, whither they are bound, and this in the usual and accustomed form: and, after having exhibited their passports, as aforesaid, they shall not be molested or searched, detained or retarded in their voyage, upon any pretense whatever.

Article VI.

English ships not to give an account of their lading, unless suspected.

In like manner *English* ships and vessels, which shall come into any roads upon the coasts under the obedience of the said *States*, not intending to enter into port, or being entered into port and not intending to unlade or break bulk, shall not be obliged to give an account of their lading; except in case of suspicion,

suspicion, that they are carrying to the enemies of the said *States* any contraband goods, such as are above specified.

Article VII.

And, in case of such apparent suspicion, the said subjects of the king of *Great Britain* shall be obliged to exhibit in port their passports, according to the form above specified.

In case of suspicion, to shew their passports.

Article VIII.

But if they shall come near any of the coasts of the *States*, and meet in the open sea with any of the ships of the *States*, or any privateers fitted out by their subjects under publick commissions; for the avoiding all inconvenience, such ships of the said *States*, or of their subjects, shall not come within cannon-shot of the *English*, but may send out their boat, and board the ships or vessels of the *English* with two or three men only, in order that the master or captain of an *English* ship may exhibit to them his passports as above-mentioned, and likewise his sea-letters or certificates concerning the property of the ship, according to the form subjoined to this treaty, whereby it may appear not only what the lading consists of, but likewise, that the place of the master's or captain's abode and residence, together with the ship's name may be known; to the end, that by those means it may be discovered, whether any contraband goods are carried for the enemy; and that the quality of the ship,

Dutch ships of war, or privateers, to keep at a distance from *English* merchant-ships; and to send only a boat with two or three men to examine the passports and cockets.

ship, and of the captain or master thereof, may sufficiently appear; unto which passports and sea-letters intire faith and credit shall be given: and, for the better assurance of their being authentick, and that they may not be falsified or counterfeited, some certain marks and counter-signs of his said majesty and of the said *States* shall therein be made use of.

Article IX.

Contraband goods to be confiscated; but the ship and other goods to go free.

And in case any of those goods and commodities, which are before declared to be contraband and prohibited, shall by the means aforesaid be discovered in the said *English* ships and vessels, bound for any port of the enemies of the said *States*, they shall be unladen, and then judicially proceeded against, and declared confiscated before and by the judges of the admiralty, or other competent officers; but so as the ships or vessels themselves, or other free and allowed goods, merchandise and commodities, found in the said ships, may not for that cause be in any manner seized or confiscated.

Article X.

English goods, on board an enemy of the *States*, to be confiscated --

but the goods of enemies to the *States*, in an *English*

Whatever shall be found laden by his majesty's subjects upon a ship of the enemies of the said *States*, although the same were not contraband, shall yet be confiscated, with all that shall be found in such ship, without exception: but, on the other hand, whatever shall be found in any ships, belonging to any subjects of the king of *Great Britain*, shall be free and

and discharged, although the lading, or any part thereof, belongs to the enemies of the said *States*, except contraband goods, in regard to which such rule shall be observed, as hath been laid down in the foregoing articles.

vessel, to go
free; except
contraband.

Article XI.

The subjects and inhabitants of the *United Provinces* shall reciprocally enjoy the same rights, liberties and exemptions, with regard to navigation and commerce, in the coasts, ports, roads, seas and dominions of the king of *Great Britain*, in the like manner as it is already agreed, that the subjects of the said king are to enjoy them in those places, which are under the obedience of the *States*, as likewise in the open sea; it being intended and understood, that there shall be a mutual and reciprocal equality in all and singular matters, even in case the said *States* shall hereafter be in peace and friendship or neutrality with any kings, princes or *States*, who shall be at war with the king of *Great Britain*; so that both parties are directly to use and observe the same conditions and restrictions, which are contained in the articles herein agreed upon, and which regard commerce.

The *Dutch*
to enjoy the
same liberties
reciprocally.

Article XII.

And the more effectually to secure the subjects of the said *States*, that no violence shall be offered them by the ships of war belonging to his majesty of *Great Britain*, or his subjects, all the captains of the king's ships,

Captains of
English ships
of war, and
privateers, to
be enjoined
not to molest
the *Dutch*.

ships, and all his majesty's subjects, who fit out privateers, shall be strictly charged and enjoined not to molest or injure any of the subjects or inhabitants of the *United Provinces* in any respect whatever, upon pain of being punished and made answerable in their persons and goods for all costs and damages, and of making full restitution and reparation.

Article XIV.

Contraband goods not to be meddled with at sea, unless the master of the vessel taken is willing to deliver them up; in which case he shall be permitted to proceed in his voyage.

If any commander of an *English* ship shall meet with and take a ship laden with any of the said contraband goods, he may not open or break up any of her chests, packs, bags or casks; nor sell, barter, or any way dispose of the same, before they have been landed in the presence of the judges or officers of the admiralty; and before an inventory hath been by them made of the goods found in the said ship; unless where the contraband goods make but a part of the cargo, and the master of the ship is willing to deliver up such goods immediately, so as they may be taken from on board and carried away, that he may not be retarded in his intended voyage; in which case, he shall not be farther molested or hindered from pursuing his course and voyage.

The form of the passport, originally subjoined to this treaty, is the same verbatim with that annexed to the marine treaty of 1674.

Treaty of peace between *Great Britain* and CHARLES II.
the *States General*, concluded at *West-* 1673-4.
minster, February $\frac{9}{19}$, 1673-4.

Article IV.

THE *States General* of the *United Provinces* duly All Dutch ships, whether single or in fleets, to strike to the king's ships or vessels in certain seas.
acknowledging on their part the right of his
majesty the king of *Great Britain*, that honour be
paid to his flag in the seas herein after mentioned,
shall and do declare and agree, that whatever ships
and vessels, belonging to the said *United Provinces*,
whether ships of war or others, and whether they are
single, or joined together in fleets, shall meet in any
seas, from *Cape Finisterre* to the middle point of the
land *Van Staten* in *Norway*, with any ships or vessels
whatever, belonging to his most serene majesty the
king of *Great Britain*, whether those ships are single
or in a greater number, if they carry his *Britannick*
majesty's flag or jack, the said ships or vessels of the
United Provinces shall strike their flag, and lower
their top-sail, in the same manner, and with like
tokens of honour, as hath ever been at any time or
in any place heretofore used toward any ship of his
Britannick majesty, or of his predecessors, by any
ships of the *States General* and of their predecessors.

Secret article of the preceding treaty
of 1673-4.

Neither of the said parties shall give, nor consent, Neither party to furnish ships, soldi-
that any of their subjects or inhabitants shall give any
aid,

ers, provisions,
ons, &c. to
the enemies
of the other.

aid, favour or council, directly or indirectly, by land or by sea, or on the fresh waters; nor shall furnish, nor consent, that the subjects and inhabitants of their dominions and countries shall furnish any ships, soldiers, mariners, provisions, money, instruments of war, gunpowder, or any other things necessary for making war, to the enemies of the other party, of any rank or condition whatever.

CHARLES II.
1674.

Marine treaty between *Great Britain* and the *United Provinces*, concluded at *London*, December $\frac{1}{11}$, 1674.

Article I.

Trade to be
carried on
freely by the
subjects of
both parties
with their
allies —

and not to be
interrupted
by one party
on account
of war with
the allies of
the other.

THAT it shall and may be lawful for all and every the subjects of the most serene and mighty prince the king of *Great Britain*, with freedom and safety, to sail, trade, and exercise all manner of traffick, in all those kingdoms, countries and estates, which now are, or at any time hereafter shall be, in peace, amity, or neutrality with his said majesty, so that they shall not be any way hindered or molested in their navigation or trade by the military forces, ships of war, or any other vessels whatever, belonging either to the high and mighty lords the *States General* of the *United Netherlands*, or to their subjects, upon account or under pretense of any hostility or quarrel now subsisting, or which may hereafter happen, between

tween the said lords the *States General* and any other princes or people whatever, in peace, amity, or neutrality, with his said majesty: and likewise that it shall and may be lawful for all and every the subjects of the said high and mighty lords the *States General* of the *United Provinces* with all freedom and safety to sail, trade, and exercise all manner of traffick, in all other kingdoms, countries and estates, which now are, or at any time hereafter shall be at peace, amity, or neutrality, with the aforesaid lords the *States*; so that they shall not be any way hindered or molested, in their navigation or trade, by the military forces, ships of war, or any other vessels whatever, belonging either to the said king or to his subjects, upon account or under pretense of any hostility or quarrel now subsisting, or which may hereafter happen, between his said majesty and any other princes or people whatever, which are or shall be in peace, amity, or neutrality, with the said lords the *States*.

Article II.

Nor shall this freedom of navigation and commerce be violated or interrupted by reason of any war, as to any kind of merchandise; but such freedom shall extend to all commodities, which might be carried in time of peace; those only excepted, which are described under the name of contraband goods in the following article.

Free commerce with all goods, except contraband.

Article

Article III.

Contraband
goods speci-
fied.

Under this name of contraband or prohibited goods shall be comprehended only arms, pieces of ordnance, with all implements belonging to them, fire-balls, powder, match, bullets, pikes, swords, lances, spears, halberts, guns, mortar-pieces, petards, granadoes, musquet-rests, bandeliers, salt-petre, musquets, musquet-shot, helmets, head-pieces, breast-plates, coats of mail, and the like kind of armature; soldiers, horses, and all things necessary for the furniture of horses, holsters, belts, and all other instruments whatever.

Article IV.

What goods
shall not be
deemed con-
traband.

The following goods shall not be deemed contraband, *viz.* all kind of cloth, and all other manufactures woven of any kind of wool, flax, silk, cotton, or any other material; all sorts of cloathing and garments, together with the materials of which they are made; gold and silver, as well coined as not coined; tin, iron, lead, copper, and coals; as also wheat, barley, and all other kind of corn or pulse; tobacco, and all kind of spices; salted and smoked flesh, salted and dried fish; butter, cheese, beer, oil, wine, sugar, and all kind of salt; and, in general, all provisions, which serve for the nourishment and sustenance of life; likewise all kind of cotton, hemp, flax, and pitch; and ropes, sails, and anchors; also masts and planks, boards and beams of any kind of wood, and all other materials requisite

site for building or repairing ships; but they shall be wholly reputed free goods; as likewise all other wares and things, which are not comprehended in the next preceding article; so that the same may be freely transported and carried by the subjects of his said majesty, even unto places at enmity with the said *States*; as also, *vice versa*, by the subjects of the said *States* to places under the obedience of the enemies of his said majesty; except only to towns or places besieged, blocked up, or invested.

Such goods may be carried by the subjects of one party to the enemies of the other.

Article V.

And, that all differences and contentions on both sides, by sea and land, may from henceforth cease and be utterly extinguished, it is agreed, that all kinds of ships and vessels whatever, belonging to the subjects of his said majesty, entering or being entered into any road or port under the obedience of the lords the *States*, and purposing to pass from thence, shall be only obliged to shew to the officers of such port, or to the captains of the guard ships or privateers belonging to the *States*, (if any happen there to be) their passports according to the form annexed to this present treaty; nor shall any money, or any thing else, be exacted from them upon that account: but, if any ship, belonging to the subjects of his majesty of *Great Britain*, shall in the open sea, or elsewhere out of the dominions of the said *States*, meet any ships of war of the said lords the *States*, or privateers belonging to their subjects, the said ships of the lords the

Merchant-ships to shew their passports in port.

Merchant-ships, met by ships of war at sea, not to be boarded by more than two or three men —

— and to pass freely on shewing proper passports.

the *States*, or of their subjects, shall keep at a convenient distance, and only send out their boat, with two or three men only, to go on board such ship or vessel of the subjects of his majesty, in order that the passport (or sea-brief) concerning the property thereof, according to the form hereunto annexed, may be produced to them by the captain or master of such ship or vessel belonging to the subjects of his majesty; and the said ship, so producing the same, shall freely pass; and it shall not be lawful to molest, search, detain, or force such ship from her intended voyage: and the subjects of the lords the *States* shall enjoy in all things the same liberty and immunity, they in like manner shewing their passport (or sea-brief) made out according to the form prescribed at the foot of this treaty.

Article VI.

Merchant-ships, going to the port of an enemy of either party, to produce cockets as well as passports.

But if any ship or vessel, belonging to the *English*, or other subjects of *Great Britain*, shall be met making to any port, belonging to an enemy of the lords the *States*; [*Quod si navi, &c. ad portum aliquem Dominis Ordinibus inimicum tendenti, obviam fit*;] or, on the other side, if any ship belonging to the *United Provinces* of the *Netherlands*, or other subjects of the lords the *States*, shall be met in her way making for any port under the obedience of the enemies of his said majesty; [*Portum aliquem, hostibus dictæ regie majestatis obtemperantem, petenti*;] such ship shall shew not only a passport (or sea-brief) according to the form here-under prescribed, wherewith she is to be furnished,

furnished, but also a certificate or cocket, containing the particulars of the goods on board, given in the usual form by the officers of the customs of that port, from whence she came; whereby it may be known, whether she is laden with any of the goods prohibited by the third article of this treaty.

Article VII.

But, if upon shewing such cockets containing the particulars of the goods on board, given in the usual form by the officers of the customs of that port from whence the said ship sailed, (concerning the shewing whereof it is above agreed) either party shall discover any of that kind of goods, which by the third article of this treaty are declared to be contraband or prohibited, consigned to any port under the obedience of their enemies, it shall not then be lawful to open the hatches of such ship, in which the same shall happen to be found, whether she belongs to the subjects of his majesty, or of the lords the *States*; nor to unlock or break open any chests, packs, or casks in the said ship, nor to convey away any the least part of the merchandises, before the whole cargo is first put on shore in the presence of the officers of the admiralty, and an inventory made of the same; neither shall it be lawful to sell, exchange, or any way to alien the same, before such prohibited goods shall be duly and lawfully proceeded against, and till the judges of the admiralty respectively shall by sentence have declared the same confiscated: provided

T

always,

The ship and goods, not contraband, are not to be detained.

On delivery of the contraband goods to the captor, the ship is to be dismissed.

always, that as well the ship itself, as the rest of the goods found in the same, which by this treaty are to be reputed free, shall not be detained upon pretense of their being infected by such prohibited goods, much less shall they be confiscated as lawful prize: and if a part only, and not the whole of the lading, shall consist of contraband or prohibited goods, and the master of the ship shall be willing and ready to deliver them to the captor, who discovered them, in that case the captor shall not compel the ship to go out of her course to any port he thinks fit, but shall forthwith dismiss her, and upon no account hinder her from freely pursuing her intended voyage.

Article VIII.

Goods of one party, on board the ships of the enemies of the other, are to be confiscated--

but the goods of the enemies of one party, on board the ships of the other, are free; except contraband.

Whatever shall be found laden by his majesty's subjects upon any ship belonging to the enemies of the lords the *States*, although the same is not of the quality of contraband goods, may be wholly confiscated; but, on the contrary, all that, which shall be found put on board ships belonging to the subjects of the king of *Great Britain*, shall be accounted clear and free, although the whole lading, or any part thereof, by just title of property should belong to the enemies of the lords the *States*; except always contraband goods, which being intercepted, all things shall be done according to the meaning and direction of the foregoing articles. And so likewise whatever shall be found laden by the subjects of the lords the *States* in any ship whatever, belonging to the enemies of his majesty,

majesty, although the same is not of the quality of contraband goods, may be wholly confiscated; but, on the other side, all that, which shall be found put on board ships belonging to the subjects of the lords the *States*, shall be accounted clear and free, although the whole lading, or any part thereof, by just title of property should belong to the enemies of his majesty; except always contraband goods, which being intercepted, all things shall be done according to the meaning and direction of the foregoing articles. And, Goods of one party, found on board the enemy of the other, are not confiscable, within a limited time. lest any damage should by surprize be done to the one party being at peace, when the other party shall happen to be engaged in war, it is provided and agreed, that a ship belonging to the enemies of either party, and laden with goods of the subjects of the other, shall not by it's infection render the said goods liable to confiscation, in case they were laden before the expiration of the terms hereafter mentioned, after the declaration or publication of any such war; *viz.* if the goods were laden in any port or place between the place or limit called the *Soundings* and the limit called the *Naze* in *Norway*, within the space of six weeks after such declaration; of two months between the said limit called the *Soundings* and the city of *Tangier*; of ten weeks in the *Mediterranean* sea; or within the space of eight months in any other country or place of the world; so that it shall not be lawful to confiscate the goods of the subjects of his majesty, taken or seized in any ship or vessel whatever of any enemy of the lords the *States* upon that account, but the same shall be without delay restor-

ed to the proprietors, unless they were laden after the expiration of the said terms respectively ; but so as it shall not be lawful for them afterwards to carry any of the said merchandises, which are called contraband (and which for the reason aforesaid shall not be liable to confiscation) to the ports of an enemy : neither, on the other side, shall it be lawful to confiscate the goods of the subjects of the lords the *States*, taken or seized in any ship or vessel whatever of an enemy of his majesty, upon that pretense, but the same shall be forthwith restored to the proprietor thereof, unless they were laden after the expiration of the said terms respectively ; but so as it shall not be lawful for them afterwards to carry any of the said merchandises (which are called contraband, and which for the reasons aforesaid shall not be liable to confiscation) to the ports of an enemy.

Article IX.

Commanders
of all ships
and vessels
not to do any
injury to the
subjects of
either party.

And the more effectually to secure the subjects of his majesty and of the said *States*, that no injury shall be offered to them by the ships of war or privateers of either side, all the captains of ships, as well of his majesty, as of the said *States*, and of all their subjects, who shall fit out privateers, and likewise their privileged companies, shall strictly be enjoined not to do any injury or damage whatever to the other ; and, if they transgress therein, they shall be punished ; and moreover be liable to satisfy all costs and damages, by due restitution and reparation, upon pain and obligation of person and goods.

Article

Article XII.

And, whenever the ambassadors of the said lords ^{Revisions.} the *States*, or any other their publick ministers, resident at the court of his most serene majesty of *Great Britain*, shall complain of the unjustness of sentences, which have been given, his majesty will cause the same to be reviewed and examined in his council, that it may appear, whether the orders and precautions, prescribed in this treaty, have been observed, and have had their due effect; and will also take care, that the same be fully provided for, and that right be done to the party complaining, within the space of three months. And likewise, when the ambassadors, or other publick ministers of his majesty, resident with the *States General*, shall complain of the unjustness of sentences, the said *States* will cause a review and examination thereof to be made in the assembly of the *States General*, that it may appear, whether the orders and precautions, prescribed in this treaty, have been observed, and have had their due effect; and they will likewise take care, that the same be fully provided for, and that right be done to the party complaining, within the space of three months: nevertheless it shall not any way be lawful to sell or unlade the goods in controversy, either before the sentence given, or after it, during the review thereof, on either side, unless it be with the consent of the parties interested.

Article XIV.

Torture of
persons, on
board a prize-
ship, prohibi-
ted, on pain
of forfeiting
the prize, be-
sides other
punishment.

Whereas the masters of merchant-ships, and likewise the mariners and passengers, do sometimes suffer many cruelties, and barbarous treatment, when they are brought under the power of ships, which take prizes in time of war, the captors in an inhuman manner tormenting them, in order to extort from them such confessions as they would have to be made; it is agreed, that both his majesty and the lords the *States General* shall, by the most strict proclamations or placarts, forbid all such heinous and inhuman offenses; and as many, as they shall by lawful proofs find guilty of such acts, they shall take care to punish in a just and proper manner, so as to be a terror to others; and they shall command, that all captains and officers of ships, who shall be proved to have been guilty of such heinous practices, either by their own act, or by instigating others to act the same, or by conniving at such doings, shall (besides other punishments to be inflicted proportionably to their offenses) be forthwith deprived of their posts and commissions respectively; and every ship, brought in as a prize, whose mariners or passengers shall have suffered any torture, shall forthwith be dismissed and set free, with all her lading, without any farther examination or proceeding against her, either judicially or otherwise.

Formula

Formula literarum
commeatus (vulgo
literarum mariti-
marum) petenda-
rum dandarumque,
a consulibus civi-
tatum et portuum
Uniti Belgii, om-
nibus navibus na-
vigantibus, inde vela
facientibus, secun-
dum articuli quin-
ti hujus tractatus
dispositionem.

*S*Erenissimis, illustrissi-
mis, potentissimis, no-
bilissimis, spectatissimis, pru-
dentissimis dominis impera-
toribus, regibus, rerum-
publicarum moderatoribus,
principibus, ducibus, comi-
tibus, baronibus, dominis
consulibus, scabinis, sena-
toribus, iudicibus, officiali-
bus, justitiariis et rectori-
bus omnium civitatum et
locorum, tam ecclesiastico-

*The form of the pass-
port (or sea brief)
to be asked of and
given, by the burgher-
masters of the cities
and ports of the U-
nited Netherlands,
to all the ships or
vessels, sailing from
thence, according to
the purport of the
fifth article of this
treaty.*

TO the most serene,
most illustrious, most
mighty, most noble, most
honourable, and most pru-
dent emperors, kings,
governors of common-
wealths, princes, dukes,
barons, lords, burgher-
masters, schepens, coun-
sellors, judges, officers,
justices and rulers of all
cities and places as well
ecclesiastical as secular, to
whom

rum quam secularium, quibus hæ exhibebuntur, consules et rectores civitatis notum facimus, magistrum seu præpositum navis se nobis stitisse, et solenni jurejurando affirmasse, dictam navem, cui nomen est, mensurarum, quas vulgo lastas vocant, plus minus . . ., cujus ille hoc tempore magister sive præpositus est, pertinere ad incolas provinciarum Uniti Belgii. Ita eum Deus adjuvet. Cum autem acceptissimum nobis foret, prædictum magistrum seu præpositum navis in iis, quæ probe justequè ab eo agenda erunt, adjuvari, rogamus vos universos et singulos, ubicunque dictus magister, seu præpositus, navem, mercesque in ea invectas et illatas, appellet, velit, jubeatis, eum benigne recipi, humaniter tractari, sub legitimorum consuetorumque vectigalium ac aliarum rerum

whom these presents shall be shewn, We the burgher-masters and rulers of the city of do certify, that master or skipper of the ship appeared before us, and declared by solemn oath, that the said ship called the, containing about lasts, of which he is at present master or skipper, belongeth to the inhabitants of the *United Netherlands*. *So help him God*. And in regard it would be most acceptable to us, that the said master or skipper be assisted in his just and lawful affairs, we do request you, and every of you, wheresoever the said master or skipper shall arrive with his ship, and the goods laden on board and carried in her, that you would please to receive him courteously, and use him kindly, and admit him, upon paying the lawful

solutione admitti, ingredi, manere, egredi portus, flumina, et dominia vestra; et omni modo navigationis, mercatus, commerciorum ac promercalium jure specieque uti, omnibus in locis, quibus hoc ei melius, rectius, visum fuerit; grato animo id rependere vobis paratissimi semper, promptissimique. In quorum majorem fidem et testimonium, has civitatis nostræ sigillo signari curavimus; datas in die anno domini

ful and usual customs and other duties, to enter into, remain in, and pass from your ports, rivers and dominions, and there to enjoy all kind of right of navigation, traffick, and commerce, in all places where he shall think fit; which we shall most willingly and readily acknowledge upon all occasions. In testimony and confirmation whereof, we have caused the seal of our city to be put to these presents; dated at in the . . . day of in the year of our lord

An explanatory declaration of certain articles of the marine treaties, concluded between *Great Britain* and the *States General*, in the years 1667-8, and 1674, made at the *Hague*, December 30, 1675.

WHEREAS some difficulties have arisen concerning the construction of certain articles, as well

Certain articles in the treaties of

U

well

1667-8, and
1674, ex-
plained.

well in the marine treaty, which was concluded on ¹¹ December 1674, as in that, which was concluded on ²⁷ February 1667-8, between the king of *Great Britain* on the one part, and the *States General* on the other, relating to the liberty allowed to their subjects respectively of trading in the ports of the enemies of either of the parties, We do declare by these presents, that the true sense and intention of the said articles is, and ought to be, that the ships and vessels, belonging to the subjects of the one or the other of the parties, may at all times, from the time of the conclusion of the said articles, pass, trade, and traffick, not only from a neutral port, or place, to a place belonging to an enemy of the other party; or from a place, belonging to an enemy, to a neutral place; but likewise from one port or place, belonging to an enemy, into any other port or place, belonging likewise to an enemy of the other party; whether such places belong to the same prince or state, or to diverse princes or states, with whom the other party shall be at war.

CHARLES II.
1677-8.

Treaty of alliance between *Great Britain* and the *States General*, concluded at *Westminster*, March 3, 1677-8.

Article I.

Perpetual
friendship, as
well within
as out of Eu-
rope.

THERE shall be for the future a sincere, firm, and perpetual friendship and good correspondence, between the king of *Great Britain* and his successors

successors and kingdoms, on the one part, and the *States General* of the *United Provinces* of the *Netherlands*, on the other part, and their states, dominions and subjects reciprocally, as well by sea as by land, in and throughout all places, as well within as out of *Europe*.

Treaty for renewing former treaties between JAMES II.
Great Britain and the *States General*, 1685.
concluded at *Windsor*, August 17, 1685.

Preamble.

IT is agreed and concluded, that all and singular the treaties here mentioned and named; viz.

1. The treaty of peace and alliance, concluded at *Treaties of Bredab* on $\frac{21}{31}$ July, 1667; 1667, 1673-4, 1674, 1675, 1674-5, and 1677-8, continued and confirmed.
2. The treaty of navigation and commerce, of the same date and place;
3. The treaty of peace, concluded at *Westminster* on $\frac{2}{19}$ February, 1673-4;
4. The marine treaty concluded at *London* on the 1st of *December* 1674, together with the declaration concluded at the *Hague* on $\frac{20}{30}$ *December* 1675, more fully explaining certain articles of the said treaty of 1674, as likewise of the marine treaty of $\frac{2}{17}$ February, 1667-8;
5. The article concluded at *London* on $\frac{8}{18}$ March, 1674-5, for preventing or accommodating disputes

between the *English* and *Dutch East-India* companies ;

6. The defensive league concluded at *London*, *March* the 3d, 1677-8 ;

And all and singular the articles contained in the said treaties, and every one of them, shall be for ever hereafter continued, confirmed, and established, in the same sense, and to the same effect, as they were originally formed and concluded ; and shall have and obtain the same force and vigour hereafter, as they ought or were esteemed to have heretofore ; and that in as ample manner and form, as they were at first drawn up and concluded, and as if the said treaties, and the several articles of the same, were recited and inserted *verbatim* in these presents.

WILLIAM
III.
1689.

Treaty of amity and alliance between *Great Britain* and the *States General*, concluded at *Whitehall*, August 24, 1689.

Article I.

Perpetual
friendship,
as well out of
as within
Europe.

THERE shall be, for the future, a sincere, firm and perpetual friendship and good correspondence, as well by sea as by land, in and throughout all places, as well out of as within *Europe*, between the king of *Great Britain*, and his successors kings of *Great Britain*, and their kingdoms, on the one part, and

and the *States General* of the *United Provinces* of the *Netherlands* on the other part, and their dominions, countries and subjects reciprocally.

Article II.

All treaties of peace, friendship, alliance, commerce and marine, hereafter specified, shall be approved and confirmed on both sides, *viz.*

The treaty of peace and alliance, concluded at *Treaties of Breda* on $\frac{21}{31}$ July, 1667. 1667, 1673-4, 1674, 1675,

The treaty of navigation and commerce, concluded at the same time and place. 1674-5, 1677-8, and 1689, approved and confirmed.

The treaty of peace, concluded at *Westminster* on $\frac{2}{19}$ February, 1673-4.

The marine treaty, concluded at *London* in 1674, with a declaration, explaining several articles of the said treaty, and of the marine treaty of $\frac{7}{17}$ February, 1667-8, concluded at the *Hague* on $\frac{20}{30}$ December, 1675.

An article for preventing and composing disputes between the *English* and *Dutch East-India* companies, concluded at *London* in 1674-5.

The defensive treaty, concluded at *London* on the 3d of March, 1677-8.

The treaty for prohibiting commerce with *France*, concluded August 22, 1689.

All the said treaties, and all and every article contained in them, are effectually approved and confirmed by this present treaty, and shall remain in their original force and vigour, as if they were here inserted

serted word for word, so far as they do not contradict or derogate from one another, or from this present treaty; so that the points and matters stipulated by any later treaty shall be fulfilled in the time agreed on, without any regard to any treaty of more antient date.

ANNE.
1712-13.

Treaty of succession and barrier between
Great Britain and the *States General*, con-
cluded at *Utrecht*, January $\frac{19}{30}$, 1712-13.

Article I.

Former trea-
ties confirm-
ed.

ALL treaties of peace, friendship, union and confederacy, (except the treaty of the 29th of *October* 1709, which is hereby abrogated) concluded between her royal majesty and the lords the *States General*, are hereby approved and confirmed, and shall be of the same virtue and force as if they had been inserted in this present treaty.

Article XIII.

British sub-
jects to enjoy
all due privi-
leges in the
places of the
Spanish Ne-
therlands and
Barrier,
which are to

The subjects of the queen of *Great Britain* shall for the future, both in time of war and in time of peace, enjoy the same privileges, immunities, franchises, and all manner of advantages in relation to trade, as well for importation as exportation, which they ever have or ought to have enjoyed heretofore, in

in all places of the provinces of the *Spanish Nether-* be delivered
lands, and of the *Barrier*, which is to be yielded to up to the
 the *States General*: and moreover they shall enjoy all *Dutch*.
 privileges, immunities and advantages, which have
 already been granted, or shall at any time hereafter
 be granted, to the subjects of the *States General* in the
 provinces of the *Spanish Netherlands*, and places be-
 longing to the *Barrier*.

Treaty for confirming former alliances be- GEORGE I.
 tween *Great Britain* and the *States Ge-* 1715-16.
neral, concluded at *Westminster*, Febru-
 ary 6, 1715-16.

Article II.

IT is agreed, that all and every the treaties of Former trea-
 peace, friendship, alliance, navigation and com- ties confirm-
 merce, hereunder specified and named, be approved ed.
 and confirmed, *viz.*

The treaty of peace and alliance, concluded at
Breda on $\frac{21}{31}$ July, 1667.

The treaty of navigation and commerce, made at
 the same time and place.

The treaty of navigation and commerce, concluded
 at the *Hague* on $\frac{2}{17}$ February, 1667-8.

The treaty of peace, concluded at *Westminster* on
 $\frac{9}{19}$ February, 1673-4.

The

The marine treaty concluded at *London* on $\frac{1}{11}$ *December*, 1674, together with

The declaration signed at the *Hague* on $\frac{20}{30}$ *December*, 1675; by which the sense of certain articles, as well in the above-mentioned treaty of 1674, as in the marine treaty of 1667-8, is explained. But, whereas some disputes have happened concerning the explanation of the 12th article of the aforesaid treaty marine of 1674, it is agreed and concluded, for deciding all difficulty upon that matter, to declare by these presents, that by the revisions, mentioned in the said article, are meant those, which are received by custom in *Great Britain* and in the *United Provinces*, and always have been received, and which are granted, and always have been granted, in the like case, to the inhabitants of the said countries, and to every foreign nation.

The article for preventing or accomodating the disputes, which may arise between the *English* and *Dutch* companies trading to the *East-Indies*, concluded at *London* on $\frac{8}{18}$ *March*, 1674-5.

The defensive alliance, concluded at *Westminster* on the 3d day of *March*, 1677-8.

The treaty settling the proportions between the fleets of *England* and of the *United Netherlands*, concluded at the palace of *Whitehall*, on the 29th day of *April*, 1689.

The treaty relating to the ships and goods, which during the war might be recovered out of the enemies hands, concluded at the same place, on the 22d day of *October* in the same year.

The

The treaty concerning the succession to the crown of *Great Britain*, and the Barrier of the *United Provinces* of the *Netherlands*, made at *Utrecht* on $\frac{12}{30}$ *January*, 1712-13.

The above-mentioned treaties, and all and singular the articles thereof, are by this present treaty actually approved and confirmed, and shall have the same force and effect, as if they had been here inserted *verbatim*; that is to say, so far as they do not differ from one another, or are not contrary to this present treaty; so that those things, which have been established by any later treaty, shall be understood and performed in the sense therein expressed, without any regard had to any former treaty.

Treaty of friendship and concord between GEORGE II.
Great Britain and the *States General*, for 1728.
 the renewal and confirmation of former
 treaties, concluded at *Westminster*, May
 27, 1728.

Article II.

THAT this friendship and concord may be better preserved, it is agreed and concluded between the king of *Great Britain* and the *States General*, that all and singular the treaties of peace, friendship, alliance, navigation and commerce,

X

Former treaties confirmed.

merce, hereunder named, shall be approved and confirmed.

Here follows, in the original, an enumeration of treaties, which, (except a confirmation of the treaty of 1716, and of two more treaties subsequent to 1716, but not relative to the marine,) is word for word the same, as the list inserted in the preceding treaty of 1716.

GEORGE II.

1729. Treaty of peace, amity, and mutual defense, between *Great Britain, France, and Spain*, concluded at *Seville*, November 9, 1729, and acceded to by the *States General*, November 21, 1729.

Article I.

Confirmati-
on of former
treaties.

ALL former treaties and conventions of peace and friendship, and of commerce, concluded between the contracting parties respectively, shall be, as they hereby are, effectually renewed and confirmed in all those points, which are not derogated from by this present treaty, in as full and ample manner, as if the said treaties were here inserted word for word; the said parties promising not to do, or suffer any thing to be done, which may be contrary thereto, directly or indirectly.

Treaty

Treaty of peace and alliance between the GEORGE II.
king of *Great Britain* and the *Emperor*, 1731-2.
concluded at *Vienna*, March 16, 1731,
and acceded to by the *States General*,
February 20, 1731-2.

Article I.

ALL former treaties or conventions of peace, Former treaties confirmed.
friendship and alliance, shall have their full
effect, and shall preserve, in all and every part, their
full force and virtue, and shall even be looked upon
as renewed and confirmed by virtue of this present
treaty; except only such articles, clauses, and con-
ditions, from which it hath been thought fit to de-
rogate by this present treaty.



T R E A T I E S

W I T H

P O R T U G A L.



CHARLES I.
JOHN IV.
1641-2.

Treaty of peace and commerce between
Great Britain and Portugal, concluded
at *London*, January 29, 1641-2.

This is the first treaty with Portugal, after that kingdom, by throwing off it's subjection to Spain, had recovered it's independency under the duke of Braganza, stiled John the Fourth.

Article I.

Firm peace
and amity.



HERE shall be for ever a good, true, and firm peace and amity between the kings of *Great Britain and Portugal*, their heirs and successors, and their kingdoms, countries, states, lands, people, vassals, and subjects whatever, present and to come, of what quality and condition soever they may be,

be, as well by sea as by land, and fresh waters; so that the said vassals and subjects shall treat one another favourably, and render to each other all manner of good offices, true amity, and affection; and the said kings, their heirs and successors, shall not do or undertake any thing, either by themselves or by other persons, against one another; nor against their kingdoms, by sea or land; nor consent or adhere to any war, counsel or treaty, which may be to the prejudice of the one or the other.

Article II.

That there be and shall be, between the said kings and their vassals, inhabitants and subjects, on both sides, a free commerce as well by sea as by land, and fresh waters, in all and every of their kingdoms, dominions, islands, and other lands, cities, towns, villages, harbours and territories of the said kingdoms and states, wherein trade hath been carried on from the time of the kings of *Castile*, or hath been continued to this present; so that the subjects and vassals of both kings may go, enter and sail, without any passport or other general or special licence, as well by sea as by land, and in fresh waters, in the kingdoms and dominions aforesaid, and in the cities, towns, harbours, rivers, roads, and territories thereof; and there carry merchandises, and loads or ladings, upon carriages and horses, or in ships, and sell and buy all kind of provisions, and furnish themselves with every thing necessary for their subsistence

Free passage and commerce to and from the ports of each other, on paying the usual duties.

or

or voyages; and there repair their ships or carriages, whether they are their own property, or hired or borrowed; and they may depart with the same freedom from thence with their goods, merchandises and other effects whatever, upon paying only the usual duties and customs, as they are established by the ordinance of each place; and go to their own countries, or to any other places whatever, as they please, and when they think fit, without any molestation or impediment whatever.

Article VII.

British mariners not to sue for their wages in Portugal.

That the captains, masters, officers and mariners of the ships of the king of *Great Britain* shall not commence or prosecute any suits or actions against the said ships, nor against any of the subjects of the said king, within the extent of the kingdoms and dominions of the king of *Portugal*, for their wages or salaries, on pretense, that they will make profession of the *Romish* religion, or that they will list themselves in the service of the king of *Portugal*.

Article X.

British ships or subjects not to be detained by the Portuguese for any service, without the consent of the king of Great Britain.

That the king of *Portugal*, or his ministers, within the extent of his kingdoms and states, may neither detain the ships of the subjects of the king of *Great Britain*, nor his subjects themselves, without his knowledge and consent, for warlike services, or any other service whatever; but that the said ships and subjects may freely depart, when they please, from the

the ports and dominions of the said king, without any hinderance on the part of the said king of *Portugal* or his ministers; and that the goods and merchandises of the subjects of the king of *Great Britain* may not be taken for the service of the king of *Portugal*, but only at the current and usual price, to be paid within two months, unless both parties agree upon some other time of payment.

Goods not to be taken for the service of the king of *Portugal*, but at the current price.

Article XI.

That the subjects of the king of *Great Britain* shall freely carry in their ships all things, goods and merchandises, of what kind soever they may be, even arms, provision, or other the like things; [*etiam arma, annonam, aliave similia*;] out of the ports and dominions of the said king, or out of any other ports or dominions whatever; provided that they are not carried directly out of the ports of *Portugal*, or the dominions thereupon depending, to be transported into the ports and territories of the king of *Castile*; and that neither the king of *Portugal*, nor his subjects, may by way of seizure, reprisal, or any other method whatever, hinder the said ships, goods, or persons, being subjects of the king of *Great Britain*, from sailing safely to the ports and territories of the said king of *Castile*, and carrying on their trade and commerce there: and the subjects of the kings of *Great Britain* and of *Portugal* shall have the same power on the one side and the other, if hereafter it should happen, that either king should be at war with

Free navigation and commerce.

Subjects on either side to have an equal liberty of trading, if either king

should be at
war with an
ally of the
other.

with any ally of the other: and the subjects of the king of *Great Britain* shall, with the same liberty, carry all sorts of merchandises, even arms, provision, or other the like things, into the kingdoms and states of the king of *Portugal*; and shall there sell them, as they think proper, in open market, or privately, without any hinderance from the king of *Portugal* or his ministers.

Article XVIII.

Two years
allowed, after
notice given,
to remove
effects.

If it should happen hereafter (which God forbid) that any difficulties or doubts should arise between the said kings, which might give occasion to apprehend the interruption of commerce and correspondence between their subjects; publick advice thereof shall be given to the subjects of both sides in all and every the kingdoms, states, and provinces of both kings; and, after that notice given, they shall be allowed two years, on both sides, to transport their merchandises and goods; and in the mean time there shall be no injury or prejudice done to any persons or goods on either side,

Article XIX.

If any injury
is committed,
during the
peace, the
offenders only
shall be
punished.

And if, during the present peace and amity, any thing should be undertaken, committed or done, contrary to the force and effect thereof, either by sea or land, or on fresh waters, by either of the afore-said kings, their heirs or successors, vassals or subjects; nevertheless the present peace and amity shall remain in their force and virtue, and only the contraveners

traveners and offenders shall be punished, and no others.

Article XX.

That the present peace and alliance shall in no wise derogate from the alliances and confederacies formerly made and contracted between the king of *Great Britain* and other kings, princes, and commonwealths; but the said confederacies and alliances shall be firmly preserved, and remain for the future in full force and virtue, this present treaty of peace notwithstanding.

This treaty not to derogate from alliances contracted with other powers.

Treaty of peace and alliance between *Oliver Cromwell*, protector of the republick of *England*, and the king of *Portugal*, concluded at *Westminster*, July 10, 1654.

OL. CROM.
Protector.
JOHN IV.
1654.

Article II.

THAT there shall be a free commerce between both nations, and their people, subjects and inhabitants, as well by land as on the sea, and in rivers and fresh waters, in all and singular the countries, lands, dominions, territories, provinces, islands, colonies, cities, towns, villages, ports and borders, where commerce was heretofore, or is at this time carried on, in such manner, that the people, subjects, and inhabitants of either nation, may, without

Free passage and commerce.

Y

any

any safe-conduct or other general or special licence, pass by land and sea, by rivers and fresh waters, to the aforesaid dominions and kingdoms, and all their cities, towns, harbours, shores, bays and places; and sail and enter into the same, and import their merchandises, with carriages, horses, packs or ships, laden or to be laden, and buy and sell goods there, and supply themselves at a reasonable price with what provisions they shall think fit, and with all things necessary for their sustenance and voyage; and refit their ships and carriages, whether their own, or such as are hired or lent; and with the same liberty depart from thence with their goods, merchandise, and all other things whatever, either to their own or foreign countries, as they shall think fit, and without any hinderance; saving nevertheless all the laws and ordinances of each place.

Article VI.

Masters and mariners of *British* ships not to bring suits, or desert their service in *Portugal*.

That the captains, masters, officers and mariners of any ships, belonging to the republick of *England*, or to any of the people or subjects thereof, shall not bring any suits against, or in any way molest, the said ships or people of the said republick, within the kingdom or government of the king of *Portugal*, on account of their stipend or wages, on pretence, that they profess the *Romish* religion; nor shall they, under this or any other pretext, engage in the service of the king of *Portugal*, or in any other manner quit the ships, to whose crew they belong; and, if any shall offend

offend in this point, an account shall be taken of their names, and they shall be compelled by the magistrates and officers of the place to return to their ships; and, if they cannot be found, it shall be lawful for the master of such ship or vessel to detain their cloaths, goods or wages, to make good the damage sustained.

Article IX.

That neither the king of *Portugal*, nor any of his ministers, shall detain or arrest any merchants, masters of ships, captains or mariners, or their ships, merchandise or other goods, belonging to the said republick, or any subjects thereof, either for the service of war, or any other purpose whatever, unless the Lord Protector, or those, to whom such ships and goods appertain, are first apprized thereof, and give their consent: but all such ships, men and goods, shall have free liberty to depart from the ports and dominions of the said king, without any hindrance from his said majesty, or any of his ministers. And the sale of the merchandise and goods of the people of the said republick shall not be hindered or delayed, under pretense, that the king has occasion for them, or for any other reason whatever; nor shall they be applied to the king's use, or to any other uses whatever, without the consent of the persons interested.

Subjects of
the republick
or their ships
not to be de-
tained in
Portugal.

Article X.

Subjects of
England to
trade freely
to and from
the territories
of the king
of Portugal.

That the people of the republick of *England* may freely transport in their ships all things, goods and merchandises, of what kind soever they may be, even arms, provision, or other the like things; [*etiam arma, annonam, aliave similia*;] from the ports and dominions of the said republick, or from any other ports and dominions whatever, provided that they are not exported immediately from the ports and dominions of *Portugal* to any ports and territories whatever of the king of *Castile*; and that neither the most serene king of *Portugal*, or his subjects, shall hinder the said ships, goods or men, by seizures, reprisals, or any other cause whatever, from navigating securely to the ports and territories of the said king of *Castile*, and from having commerce therein; and that the people of this republick may freely import as well arms, corn, fish, as all other kinds of merchandises, into the kingdoms, ports, and territories of the king of *Portugal*, and sell the same at pleasure, either in parcels or in bulk, to whatever persons, or for whatever price they can obtain; and they shall not be forbidden, circumscribed, or inhibited, by his said royal majesty or his ministers, governors, farmers of the customs, or monopolists, or by any chamber or jurisdiction whatever, private or publick: and that the goods or merchandises, which have paid the customs or imposts in any of his majesty's ports, shall be freely transported into any other ports or places whatever of his said majesty, without paying any other
or

or farther custom, duty, or sum of money, besides that, which the *Portuguese* merchants should pay, if the goods and merchandises had belonged to them.

Article XI.

The people and inhabitants of the republick of *England* shall trade and traffick freely and safely from *Portugal* to *Brazil*, and the other conquests of the said king in the *West-Indies*; and from *Brazil* and the said conquests to *Portugal*, in all sorts of goods and merchandise whatever, (except meal, fish, wine, oil, and *Brazil* wood, which are prohibited by the king, in pursuance of a contract with the *Brazil* company,) paying the dues and customs, which others pay, who trade into those countries. And the people and inhabitants of the republick of *England* shall likewise have the liberty of navigating to the colonies, islands, countries, harbours, districts, towns, villages and staples, belonging to the king of *Portugal* in the *East-Indies*, *Guinea*, the island of *St. Thomas*, and elsewhere on the coasts and shores; and may reside, trade and traffick there, by land or sea, on the rivers or fresh waters, in any goods or merchandise whatever; and transport all kind of merchandise to any place or country, with the same freedom as formerly used by them, and the same, which was ever granted by any former treaty, or shall hereafter be granted to the inhabitants of any other nation, in alliance and friendship with that crown.

British subjects to trade freely from *Portugal* to *Brazil*, and the *West-Indies*, and back again to *Portugal*, with all goods not prohibited.

Free trade also to the possessions of the *Portuguese* in the *East-Indies*.

Article

Article XV.

Two years
allowed, after
notice given
of a rupture,
to remove
their persons
and effects.

If it shall happen hereafter, that any controversies and doubts arise between the said nations, which may indanger the interruption of commerce between them, publick notice shall be given to the people and subjects of both parties, through all the kingdoms and provinces of each; and the space of two years, after such notice, shall be allowed for transporting their persons, goods, ships, wares and substance whatever, without any molestation, impediment, or damage, offered in the mean time to their persons or goods.

Article XVIII.

Subjects of
either party
to enter the
ports of the
other with
merchant-
ships —

or with ships
of war, not
exceeding
six.

It shall be lawful for the people or subjects of either party to enter the ports of the other, there to reside, and thence to depart with equal liberty, not only with merchant-ships and trading vessels, but also with ships of war, guard-ships and convoys, whether driven in by storm, or come in for refitting or victualling their ships; provided they do not exceed the number of six ships of war, in case they come in of their own accord; nor shall they stay or continue longer in the ports, or upon the coasts, than shall be necessary, lest they should give occasion for interrupting the commerce of other nations in friendship and alliance with the other party: and, if at any time any unusual number of ships should come to such ports by any chance, it shall not be lawful for them to enter into such ports without a power

power first granted by those, to whom such ports belong, unless such ships are forcibly driven in by stress of weather, or other urgent necessity, for avoiding the danger of the sea, and shipwreck; in which case they shall immediately make known the cause of their coming thither to the governor or chief magistrate of the place; nor shall they continue there longer, than they shall be allowed by such governor or chief magistrate, nor commit any hostility in those ports, which may be detrimental to the other party.

An unusual
number of
ships not to
enter any
port without
leave, unless
forced in —

and not to
continue
there longer,
than allowed.

Article XIX.

Neither of the confederates shall suffer the ships or goods of the other, or of the people of either, which shall at any time be taken by the enemies or rebels of the one, and carried into any ports or places, belonging to the dominions of the other, to be conveyed away from the owners or proprietors; but the same shall be restored to them, or their attorneys, provided they lay claim to such ships and goods before they are sold or cleared, and either prove their right, or exhibit testimonies of their property in them, within three months after the said ships and goods shall have been so carried in; and in the mean time the proprietors shall pay and discharge the necessary expenses for the preservation and custody of the said ships and goods.

Ships and
goods of one
party, carried
by an enemy
into the ports
of the other,
to be restor-
ed.

Article

Article XXIII.

Goods of either confederate, found on board an enemy, are to be confiscated.

Free ships make free goods.

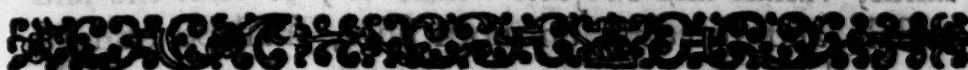
That all goods and merchandise of the said confederates, or of their people or subjects, found on board the ships of the enemies of either, shall be made prize together with the ships, and confiscated; but all the goods and merchandise of the enemies of either, put on board the ships of either of them, or of their people or subjects, shall remain untouched.

Article XXVI.

No league with any other state to derogate from this treaty.

It is also agreed and concluded, that no other league or confederacy whatever, made, or to be made, by either of the confederates with any other princes or republicks whatever, shall derogate from the present treaty of peace and alliance, but that this peace and confederacy shall be kept intire and always in full force.

AUSTRIAN



T R E A T I E S

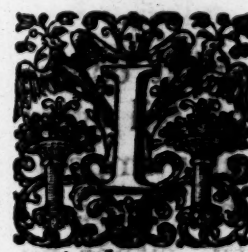
WITH THE

AUSTRIAN NETHERLANDS.



Treaty of peace and commerce between HENRY VII.
PHILIP, Arch
duke.
Henry VII. king of England and Philip
arch-duke of *Austria*, duke of *Burgundy*,
Brabant, &c. and sovereign of the *Ne-*
therlands, concluded at *London*, February
24, 1495-6.

Article I.

 T is agreed and concluded, that from Peace and
union.
this day there be a good, sincere,
true, intire, perfect and firm friend-
ship, league, confederacy, peace and
union, by sea, land, and fresh water,
to indure perpetually in all future times, between the
said lords the king and arch-duke, and their heirs
and successors, kingdoms, countries, dominions,
Z lands,

lands, vassals and subjects whatever ; so that the said vassals and subjects, on both sides, shall be obliged mutually to favour one another every where, and do one another reciprocal good offices, and treat one another with sincere and honest affection.

Article XI.

Subjects of
England to
trade freely
in all the do-
minions of
the arch-
duke.

That all merchants of the kingdom of *England*, as also their factors, friends, managers and servants, seamen, masters of ships and mariners, may sail, go, pass and repass, by sea and fresh water, traffick in going and returning, be and remain freely and securely in the countries, lands and dominions of the aforesaid lord the arch-duke, and may buy, have, sell and bargain, and bring, or cause to be brought, either their own or foreign goods into the ports and shores of the countries and dominions of the said arch-duke, and may safely depart and return from the said ports and shores as often, whenever, and whithersoever they please, with all their goods, merchandises, and ships whatever.

Article XIV.

Fishers, on
both sides,
to fish with-
out impedim-
ent, or li-
cence.

That the fishers of both parties, of what condition soever they are, may freely go and sail every where by sea, and safely fish without any impediment, licence or passport ; and, if it shall happen, that any of the fishers of the one party, either by accident, storm, enemies, or otherwise, are forced to enter into any port or district of the other party, they

they shall be peaceably and amicably received and treated there, paying all just duties and customs; and may freely depart and return from such ports and places, with their ships and goods, without any hinderance or obstruction whatever: provided however, that such fishers are not guilty of any cheat or fraud, or that they do not occasion damage to others.

If forced into
port to be
amicably
treated.

Article XV.

That no pirates or others, making war by sea without the authority of their princes, shall be received into any of the ports or shores of the aforesaid princes, or of either of them, whether they belong to either of the aforesaid princes, or to any other nation; nor shall they, or any of them, be assisted in any of the kingdoms, countries, dominions, or lands of the aforesaid princes, with money, arms, warlike instruments, victuals, or any other thing whatever, in any manner; nor shall they be favoured upon any pretense whatever, on pain of restitution and full satisfaction for all damages, expenses and injuries, done or to be done by such pirates and violent robbers, to be made to the aforesaid subjects, or to any one of them, as well by the pirates themselves, if taken and able to pay, as by their harbourers, favourers and assistants.

Pirates not
to be assisted.

Article XIX.

*Ships, taken
in the ports
of either
prince, to be
sued for.*

That, if any ship shall be taken in any port, or within the liberties, of either of the aforesaid princes, by any person not subject to the aforesaid princes, that prince, in whose port or liberties such ship is taken, shall be obliged, together with the other prince, to sue for the restitution of the said ship, but at the cost and expense of the party injured.

Article XXII.

*All ships of
either party
may be
moored in
the ports of
the other.*

That the seamen, masters of ships and mariners, subjects of the aforesaid princes, may freely moor and lay up their ships, whether laden or unladen, or ships of war, which shall enter into any ports of either of the aforesaid princes, in the same manner as their own native subjects may do, provided they have no way acted or behaved as pirates.

Article XXIII.

*Goods of the
enemy of one
party not to
be carried in
the ships of
the other.*

That the subjects of either of the aforesaid princes, whether merchants or seamen, masters of ships or mariners, shall not bring, or cause to be brought by sea, fraudulently or under any colour whatever, any goods or merchandises of the enemies of the other of the aforesaid princes; and, if they do, and are interrogated or called to an account thereupon by the subjects of the other prince, then lawfully engaged in war, they shall be obliged to make a true, plain, and

and just confession and declaration, which shall be sufficient for that time; and the said persons interrogating shall make no farther inquiry into the matter: but, if the person interrogated shall afterwards appear to have made a false answer, he shall be obliged to give to the person, who interrogated or called him to an account, and whom he had defrauded by such false answer, as much as the merchandises of the enemy, by him thus carried and concealed, shall appear to have been worth.

Treaty of peace and commerce between HENRY VIII.
Henry VIII. king of *England*, and the CHARLES V.
Emperor Charles V. king of *Spain* and emperor and king of Spain.
 sovereign of the *Netherlands*, concluded 1529.
 at *Cambray*, August 5, 1529.

THE articles of this treaty, relative to maritime affairs, make no particular mention of the Netherlands, but are general, and regard all the subjects of all the dominions and countries of the contracting powers; it was therefore not thought necessary to repeat those articles here, but to refer the reader to title *Spain*, page 67, where they are already inserted.

HENRY VIII.
CHARLES V.
emperor, and
king of *Spain*.
1542-3.

Treaty of peace and commerce between *Henry VIII.* king of *England*, and the emperor *Charles V.* king of *Spain* and sovereign of the *Netherlands*, concluded February 11, 1542-3.

AS this treaty is conceived in the same general terms, as the former, none of the articles is here inserted, but the reader is referred to title Spain, p. 67 and 71, for the reasons before-mentioned.

JAMES I.
PHILIP III.
ALBERT and
ISABELLA.
1604.

Treaty of peace and commerce between *James I.* king of *Great Britain*, on the one part, [and *Philip III.* king of *Spain*] and *Albert* and *Isabella*, arch-duke and arch-duchess of *Austria*, &c. sovereigns of the *Netherlands*, on the other part, concluded at *London*, August 18, 1604.

Article I.

Perpetual
peace and
amity.

THERE shall be from this day forward a good, sincere, true, firm and perfect amity and confederacy, and perpetual peace, which shall be inviolably observed between the most serene king of *England*, and the most serene king of *Spain*, and the most

most serene arch-duke and arch-dutchess of *Austria*, &c. and their heirs and successors whatever; and their kingdoms, countries, dominions, lands, people, liege-men and subjects whatever, present and to come, of whatsoever condition, state or degree, as well by land as by sea, and fresh waters; so that their vassals and subjects shall behave in a truly friendly manner, and shew good affection, and do all good offices to each other.

The substance of the 12th article of this treaty, relative to the Netherlands, is fully comprehended in the 16th, 18th, and 20th articles of the subsequent treaty of 1630: and the other articles, making no particular mention of the Netherlands, are referred to under Spain, page 72, for the reasons before given.

See the note to the treaty of 1529.

Treaty of peace and commerce between CHARLES I.
PHILIP IV.
Charles I. king of Great Britain, and Philip IV. king of Spain and sovereign of the Netherlands, concluded at Madrid, November 15, 1630.

Article VIII.

IT is agreed, that it shall be lawful to go to the ports of the said kings, there to remain, and depart from thence with the same liberty, not only with Free ingress and egress for all ships into the ports of either party.

with merchant-ships, but also with all manner of ships of war, whether they are forced in by the violence of storm, or to repair their ships, or to buy provisions; provided that, if they come in of their own accord, they do not exceed the number of six or eight ships, and do not remain longer in the ports, or about the ports, than shall be necessary for refitting or purchasing necessities, lest they should be an hinderance to the free commerce of other friendly nations. But if there shall be a greater number of ships of war, then they shall not come in without first consulting the king, and on condition, that they commit no hostility in the said ports, but behave themselves like friends and confederates.

Ships of war, exceeding eight, not to enter any port without leave.

Article XVI.

What is said concerning free commerce, granted to the subjects of the most serene kings, the same is likewise to be understood, and in the same manner, between the subjects of the most serene king of *England*, and the subjects of the provinces of *Flanders*, viz. that they shall shew all favour to, and treat each other in the most friendly manner, and with all mutual good offices in all places; and may on both sides freely, safely and securely, arrive at, and enter into the said kingdoms, dominions, lands, towns, cities, shores, ports and creeks whatever, by sea, land, or fresh water, without any passport or other licence, general or special; and may sail, import and export, buy and sell, all merchandises, in all such places;

Free passage and trade to and from the ports of each other, without passport or licence.

places ; and abide and traffick there as long as they please, and purchase provisions, and all things necessary for their victualling and voyage, at reasonable prices ; and repair their ships and vessels, whether they are their own, or hired or borrowed, and freely carry on all kind of business, and depart from thence with the same liberty, with all their goods, wares and merchandises whatever, and return into their own or any other country at their pleasure and discretion, without any lett or molestation, paying the duties and customs according to the laws of the several places respectively.

Article XVIII.

And whereas the said kings solemnly promise never to give any warlike assistance to the enemies of each other, so it is likewise provided, that their subjects or inhabitants, of whatever nation or quality, shall not, on pretense of trade and commerce, or under any other colour, assist the enemies of either prince in any manner ; nor furnish them with money, provisions, arms, engines, guns, or instruments fit for war, or any other warlike furniture ; and they, who shall act contrary hereunto, shall be liable to the severest punishments, and be proceeded against as covenant-breakers and seditious persons.

Subjects of one party not to assist the enemies of the other, with money, provisions, arms, &c.

Article XX.

As to what concerns the antient treaties of intercourse and commerce between the kingdoms of Eng-

Antient treaties of commerce to be observed.

A a

land

land, Scotland, and Ireland, and the dukes of *Burgundy*, and princes of the *Netherlands*, which have been interrupted during the late ruptures, and perhaps violated in many respects, it is provisionally agreed, that they shall continue in their former force and vigor, and be observed in the same manner, as they were before the late war between *Elizabeth*, queen of *England*, and *Philip II.* king of *Spain*.

See the other general articles of this treaty under *Spain*, page 76.

CHARLES II. Treaty of peace and commerce between
CHARLES II. Charles II. king of Great Britain, and
1667. Charles II. king of Spain and sovereign
of the *Netherlands*, concluded at *Madrid*,
May 23, 1667.

Article XX.

*English mer-
chants to en-
joy all immu-
nities, grant-
ed by antient
treaties.*

ALL *English* merchants and traders, passing into the provinces of the *Low Countries*, or the cities and towns thereof, for the business of trade, and also their servants, factors, and agents, shall enjoy from henceforward all privileges, exemptions, immunities and benefits, which they ever have enjoyed at

at any time of old, according to the force and tenor of treaties, heretofore made between the kings of *England* and the dukes of *Burgundy*, and other governors of the *Low Countries*.

See the other general articles of this treaty under Spain, page 80.

Convention between *George I.* king of *Great Britain*, and the emperor *Charles VI.* sovereign of the *Netherlands*, made at *London*, July 26, 1715.

GEORGE I.
CHARLES VI.
emperor.

Article I.

THE commerce of the subjects of his *Britannick* majesty with the *Austrian Netherlands* shall remain, continue, and subsist wholly on the same foot, as it doth at present, without any alteration, innovation, diminution or augmentation to be made, till the parties interested shall agree upon a treaty of commerce.

Commerce to continue on it's present footing, till a new treaty is agreed upon.

GEORGE II.
CHARLES VI.
emperor.
1730-I.

Treaty of peace and alliance between George II. king of *Great Britain*, and the emperor *Charles VI.* sovereign of the *Netherlands*, [and the *States General*,] concluded at *Vienna*, March 16, 1730-I.

Article I.

Firm friendship and mutual defense.

THAT there be and remain between his sacred royal majesty of *Great Britain*, and his sacred *Imperial Catholick* majesty, and their heirs and successors, a firm, sincere, and inviolable friendship, so established for the mutual advantage of the countries and subjects belonging to both contracting powers, that each of them shall be obliged to defend the dominions and subjects of the other, and to maintain the peace, and promote the advantage of the other party, as much as their own, and prevent and avert all damages and injuries whatever, according to the tenor of former treaties and conventions of peace, friendship and alliance; all and singular which treaties and conventions shall obtain their full force and virtue in all points, and be renewed and confirmed by this present treaty, excepting only those articles, clauses and conditions, which it has been thought proper to derogate from by this present treaty.

Former treaties confirmed.

Note, It is stipulated by the 5th article of this treaty, that a new treaty of commerce shall be made, and a new tariff settled for the Austrian Netherlands, by commissioners to be named for that purpose, to meet at Antwerp within two months, and that such treaty should be concluded within two years from the date thereof; but no such treaty has as yet been concluded.

R U S S I A.



T R E A T I E S

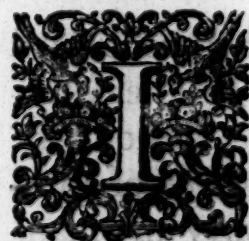
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R U S S I A.



Treaty of perpetual amity and alliance, JAMES I.
intercourse and commerce, between *Great* MICHAEL FEDEROWITZ,
Britain and *Russia*, concluded at *Westmin-* emperor.
ster, June 16, 1623. 1623.

Article I.



IT is concluded and accorded, that this Perpetual
alliance shall remaine sincere, firme and alliance.
perfecte, and be for ever inviolably
observed and kepte betweene the most
renowned prince and greate lord *James*
king of *Greate Brittain*e, and the most renowned
greate lord, emperor and greate duke *Michaell*
Federowitz, of all *Russia* sole commander, and the
heires and successors, crownes, kingdomes and peo-
ple

ple of either of them; and that their subjectes and people, as the renowned princes themselves, shall love like brethren, and be as one nation, wishing the good, honour, and reputation one of another, both by word and deede.

Article III.

Neither party
to assist the
enemies of
the other.

That neither of the said renowned princes shall ayd or assist the other's enemy, which at this present is or hereafter may be, with men of warre, munition, victuals, or other such like material or provisions for warre; nor shall suffer anie armies of souldiers from other princes dominions to be conveyed through his kingdomes and domynions against his said confederate, but on the other side shall seeke to turn awaie that, which might stretch to the enemy's purpose, and to avoide, divert and impeache all hurtfull practizes, that might anie waie arise or happen to his said confederate.

Article VII.

Misbehavi-
our of sub-
jects not to
be imputed
to either
prince.

If anie of the subjectes of either of theis renowned princes, their marchaunts or voluntarie souldiers, tradinge and serveinge in other countries, without the prince's leave, shall be founde, under colour of commerce or anie pretexte whatsoever, to carry any manner of warlike munition to the enemy, or receive entertainment with the enemy, and so happen to be taken in the warres, that shall not be imputed to the renowned princes, or held for anie breach of contracte,

tracte, but that the partie offending shall take the perill upon his owne head.

Article X.

That all such priviledges and grauntes for freedome of trade and commerce as by treaties have bin given and graunted to the *Englishe* marchaunts by his renowned majestie of all *Russia*, and his noble progenitors, shall remaine and stand in their full force and strength; and that by vertue of this alyance the subjects of both the renouned princes may freely and peaceablie, without anie hinderance or molestation, both by sea and land, and within the fresh water rivers of each others countries, use all kind of traffick and merchandize whatsoever; and may buy up and freely transport awaie all manner of jewels, pretious stones, and whatsoever else is fittinge for both the renouned princes treasuries respectively, with as much freedome and libertie, as if they were the natives borne of the selfe same countrie; provided that this freedome of trade and commerce be understood on the parte and behalfe of the subjects of his renouned majestie of *Greate Brittain*e for all such marchauntes onlie (and none other) as are allowed to trade into the domynions of *Russia* by the licence and leave of their soveraigne, the said renouned kinge of *Greate Brittain*e, and according to the gracious letters and priviledges, granted to the *Englishe* marchauntes by his renouned majestie of all *Russia*, and by his noble father the right reverend greate lord and holy patriarch

Priviledges granted to the *Englishe* to remain in force.

Subjects of both princes to trade freely —

if they have a licence to trade from their respective soveraigns.

Feloret

Feloret Nekitich of *Mosco* and of all *Russia*, or by what other letters or priviledges his renounced majestie of all *Russia* and the holy patriarch shall be pleased to inlarge unto them; and, on the parte and behalfe of the subjectes of his renounced majestie of all *Russia*, for all such of his marchauntes, and none other, as shall be allowed to trade into the domynions of *Greate Brittain*, by the license and leave of the said renounced majestie of all *Russia*, and according to the gracious priviledges and grauntes of both their renounced majesties.

Article XVI.

Free passage
for ambal-
sadors, and
messengers,
into the coun-
try of either
party.

The ambassadors, messengers, or postes of both the said renounced princes, which shall be sent unto the one or the other's countries uppon anie their princely affaires, shall freely passe without lett or interruption, both with their people and goodes whatsoever, according to the right meaninge of this contracte.

Article XVII.

Free passage
for ambal-
sadors, and
messengers,
thro' the
countries of
either party
to other coun-
tries.

Moreover, if either of the said renounced princes have occasion to send their ambassadors, messengers or postes, through the countries and domynions of the other unto and from *Germany*, *France*, *Spain*, *Denmarke*, *Sweathland* and *Netherland*, or unto and from *Persia*, *Turkey*, and other partes of the *East*, which are not in open hostilitie with either of their renounced majesties; or if they shall happen by anie casualtie by land or by water, either in their goeing or retorneing,

torneing, to receave [any damage] in either of their countries, they shall be suffered free and peaceable to passe, with all their goodes and people whatsoever, to such place as their prince's passe shall directe them, and, with meet convey, shall be safely conducted, both by land and water, through either of their domynions, without the least forcible deteyninge or hinderance whatsoever.

Article XIX.

And if it happen, that the marchauntes or subiectes of the said renowned princes shall suffer wracke uppon the coastes or within the rivers of the domynions of either, whether by casualtie, tempest, or other misfortune whatsoever, in such case the goodes saved shall be free restored to the owners, only allowinge a reasonable consideration to the people of the countrey, which shall be aydinge and helpinge in the recovery thereof.

Wrecks to be
taken care of,
and restored
to the owners.

Treaty of amity, commerce, and navigation,
between *Great Britain* and *Russia*, con-
cluded at *Petersburgh*, December 2, 1734.

GEORGE II.
ANNA, em-
press.

1734.

Article I.

THE peace, friendship, and good correspond-
ence, which happily subsist between their *Brit-
tannick* and *Russian* majesties, shall be confirmed and
B b established

Perpetual
peace and
friendship.

established by this treaty, so that from henceforward there shall be between the crown of *Great Britain* on the one side, and the crown of all the *Russias* on the other, as likewise between the states, countries, realms, dominions and territories, which are under their obedience, a true, sincere, firm and perfect peace, friendship, and good understanding, which shall indure and be inviolably maintained for ever, as well by sea as by land, and on fresh waters; and the people, subjects and inhabitants on both sides, of whatever condition or degree, shall behave with intire good will towards each other, and give each other all possible aid and assistance, without doing or offering the least wrong or damage whatever.

Article II.

Free navigation
and commerce in *Europe*.

There shall be an intire freedom of navigation and commerce, throughout all the dominions of the two high contracting parties in *Europe*, where navigation and commerce are at this time permitted, or shall be permitted hereafter, by the high contracting parties, to the subjects of any other nation.

Article III.

Free ingress
for trading,
victualling,
and refitting.

The subjects of the high contracting parties may enter at all times into all the ports, places, or towns of either of the contracting parties, with their ships, vessels and carriages, laden or unladen, into which the subjects of any other nation are permitted to enter,
to

to trade or abide; and the mariners, passengers and vessels, whether *English* or *Russian* (even though there should be subjects of any other strange nation among the crew) shall be received and treated in like manner as the most favoured nation; and the mariners and passengers shall not be forced to enter into the service of either of the contracting parties, which may have occasion for their service; and the subjects of both contracting parties may buy all kinds of necessaries, which they shall stand in need of, at the current price; and repair and refit their ships, vessels or carriages; and furnish themselves with all manner of provisions for their subsistence and voyage, abide, and depart at their pleasure without molestation or impediment; provided they conform themselves to the laws and ordinances of the respective states of the said contracting powers, where they shall so arrive or continue.

Article IV.

The subjects of *Great Britain* may bring by sea or land into all or any of the dominions of *Russia*, wherein the subjects of any other nation are permitted to trade, all sorts of goods and merchandises, whereof the importation and traffick are not prohibited; and in like manner the subjects of *Russia* may bring into all or any of the dominions of *Great Britain*, wherein the subjects of any other nation are allowed to traffick, all sorts of merchandises of the produce or manufacture of the dominions of *Russia*,

Subjects of one party to trade freely with goods, not prohibited, to all the ports of the other, to which the subjects of any other nation are admitted.

whereof the importation and traffick are not prohibited ; and likewise all merchandises of the produce or manufacture of *Asia* ; provided, that it is not actually prohibited by any law now in force in *Great Britain* : and they may buy and export, out of the dominions of *Great Britain*, all manner of goods and merchandises, which the subjects of any other nation may buy therein and export from thence ; and particularly gold and silver, wrought or unwrought ; excepting the silver coined money of *Great Britain*.

Article IX.

Subjects on both sides to export in their own vessels, or any other, all goods not prohibited, paying the duties.

It shall be permitted to the subjects of both contracting parties reciprocally, in all accustomed places of export, to load on board their own ships, vessels or carriages, or any other, all merchandises bought by them (excepting only such as are prohibited to be exported) and freely to send or carry away the same ; provided that they have paid the duties, and that such ships, vessels or carriages, have been cleared according to law.

Article XI.

Subjects of one party may trade with the enemy of the other, in places not blocked up, and with goods not prohibited.

The subjects of either party may freely pass, re-pass, and trade in all countries, which now are, or hereafter shall be at enmity with the other of the said parties, places actually blocked up, or besieged, only excepted ; provided they do not carry any warlike stores or ammunition to the enemy ; as for all other effects,

effects, their ships, passengers and goods shall be free and unmolested.

Article XII.

Cannon, mortars, fire-arms, pistols, bombs, grenades, bullets, balls, fuzees, flints, matches, powder, saltpetre, sulphur, cuirasses, pikes, swords, belts, pouches, cartouche-boxes, saddles and bridles, in any quantity beyond what may be necessary for the ship's provision, and may properly appertain to and be judged necessary for every man of the ship's crew, or for each passenger, shall be deemed ammunition of war; and, if any such are found, they may be seized and confiscated according to law: but neither the vessels, passengers, or the rest of the goods, shall be detained for that reason, or hindered from pursuing their voyage.

Contraband goods specified.

Such goods to be confiscated; but not the vessel or other merchandise accompanying them.

Article XIII.

In case of a rupture between the contracting parties, (which God forbid,) the persons, effects, or vessels of the subjects of either party, shall not be detained or confiscated, but there shall be the space of one year at least allowed them, wherein they may sell, dispose, carry off, or send away their effects, and transport their persons.

Neither goods or persons to be detained in case of a rupture.

One year allowed for removal.

Article XIV.

The merchants, mariners, vessels or effects of either party, shall not be arrested or forced into service without their own consent, under any pretence whatever;

Men or ships not to be forced into service.

Deferters to
be delivered
up.

whatever; and, if any domestick servant or mariner deserts his service or vessel, he shall be delivered up; but nothing contained in this article is to be so understood, as to tend to the hinderance or obstruction of the ordinary course of justice on either side.

Article XV.

Persons
wrecked to be
assisted, and
the wrecks
preserved.

In case of wreck on any part of the dominions of the contracting parties, all sorts of assistance shall be given to the unfortunate; no violence shall be done them, nor shall their effects, saved either by themselves or others, or driven on shore, be hidden or detained from them, neither shall they be hurt under any pretext whatever, but they shall be preserved, and the persons wrecked shall pay what is reasonable for the assistance given to them, their ships or effects.

Article XXVIII.

Mutual good
offices.

The subjects of both parties shall be considered and treated in their respective dominions, as the most favoured nation; and the subjects of *Russia*, who shall come into *England* in order to learn arts and commerce there, shall be protected, favoured, and instructed: likewise, if any *Russian* vessels are at sea for the sake of navigation, they shall not be in any way molested by the *English* vessels, when they are met by them, provided they comport themselves in the *British* seas in the accustomed manner; but on the contrary they shall be favoured by them, and have

have all possible assistance given them, and that in the very ports or havens belonging to the dominions of *Great Britain*.

Article XXIX.

Peace, amity, and good understanding, shall continue for ever between the contracting parties; and, as it is usual to limit treaties of commerce for a certain space of time, it is agreed between the contracting parties, that this shall continue for the space of fifteen years, to be computed from the day of signing this present treaty; and that, before the expiration of the said term, they shall come to a farther mutual agreement for renewing and prolonging the same *.

This treaty to continue for fifteen years.

* *The term of this treaty has been prolonged by the subsequent treaties.*

Treaty of alliance between his *Britannick* majesty and her imperial majesty of all the *Russias*, signed at *Moscow*, December 11, 1742.

GEORGE II.
ELIZABETH
emperess.
1742.

Article I.

THERE shall be for ever between his majesty the king of *Great Britain* and her imperial majesty of all the *Russias*, their heirs and successors, as also between their kingdoms, countries, states, people and subjects, every where, as well by sea as by land,

Perpetual friendship and alliance.

land, a faithful, firm, and perpetual friendship, alliance and union; and they shall, on the one side and on the other, be so far from doing any injury or damage to each other, that they shall exert themselves in promoting their mutual interests, and in maintaining each other reciprocally in all the kingdoms, provinces, states, rights, commerce, immunities and prerogatives whatsoever, which they were possessed of before the year 1741; or which they may acquire by treaties.

Article XXI.

This treaty
to continue
in force 15
years.

Peace, friendship, and good understanding shall last for ever between the high contracting parties; but, as it is usual to fix a certain time for treaties of formal alliance, the said high contracting parties have agreed, that this shall continue in force for the space of fifteen years, to be reckoned from the day of the signing of this treaty.

Separate Article I.

Treaty of
1734 to con-
tinue in force,
as long as the
present trea-
ty.

It is agreed by this separate article, that the treaty of commerce and navigation, which was concluded on the 4th of *December* 1734, between his *Britannick* majesty and her imperial majesty of all the *Russias*, shall be confirmed in all it's points and articles by the present alliance; and it is now agreed, that it shall remain in force, and shall be reciprocally observed for the same time as this alliance shall last, to be reckoned from the day of the signing of the treaty of this day.

Treaty

Treaty between his *Britannick* majesty and GEORGE II.
ELIZABETH
emperers.
her imperial majesty of all the *Russias*,
signed at *St. Petersburg*, September ¹⁹/₃₀,
1755.

Article II.

THE high contracting parties renew expressly, by The treaty
of 1742 re-
newed.
this convention, the treaty of defensive alliance,
concluded between them on the 11th of *December*
1742, at *Moscow*, in all it's articles.

Article XIII.

This convention shall subsist for the space of four This treaty
to continue
in force 4
years.
years, to be reckoned from the day, when the rati-
fications of it shall be exchanged.

Cc

SWEDEN.



T R E A T I E S

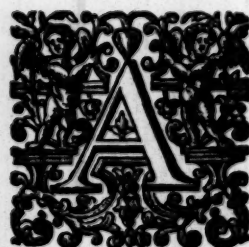
W I T H

S W E D E N.



OL. CROM.
Protector.
CHRISTINA.
1654.

Treaty of peace between *Oliver Cromwell*,
protector of *England*, and *Christina*, queen
of *Sweden*, concluded at *Upsal*, April 11,
1654.



ARTICLES I. II. III. IV. V. VI.
VII. IX. X. XI. XII. XIII. XIV. and
XV. of this treaty are comprehended
in, and are almost verbatim the same
as articles I. II. III. IV. V. VI. VII.
IX. X. XI. XII. XIV. XV. and XVI. of the subse-
quent treaty of 1661.

Treaty

Treaty between *Oliver Cromwell*, protector of *England*, and *Charles Gustavus*, king of *Sweden*, by which the treaty made at *Upsal* in the year 1654 is confirmed and explained, concluded at *Westminster*, July 17, 1656.

OL. CROM.
protector.

CHARLES
GUSTAVUS.
1656.

Articles II. III. IV. V. and VI. of this treaty are comprehended in articles IX. XI. XII. and XIII. of the following treaty of 1661.

Article VIII.

The subjects of the most serene lord protector and the republick shall hereafter enjoy all the prerogatives in the several branches of trade, which they used to carry on in *Prussia* and *Poland*, or elsewhere in the dominions of the most serene king of *Sweden*, which they enjoyed heretofore in preference to other nations; and, if at any time they desire farther privileges, their desires shall be gratified by all the means possible: and if the most serene king of *Sweden* shall grant greater and more ample privileges than the above-mentioned in *Poland* and *Prussia* to any nation besides, or people not subject to him, or shall suffer any nation or people to enjoy such larger privileges there, then the people and citizens of this republick shall enjoy the same privileges in all respects, after they have desired it of his most serene majesty. And moreover, if any edicts, which have

Subjects of
England to
enjoy all
their usual
prerogatives.

been published since 1650, happen to be burdensome to the *English* and *Scots*, dwelling or trading in *Poland* and *Prussia*, the same shall after this time be of no force, as far as it shall be in the power of the king of *Sweden* to prohibit it; but the subjects of the said lord protector shall hereafter be intirely free from those burdens.

Article X.

Subjects of
Sweden al-
lowed to fish
in the *British*
seas; and dry
their nets on
the shores.

It shall be free for the subjects of the king of *Sweden* to fish and catch herrings and other fish throughout the seas and coasts belonging to the dominion of this republick, so that they do not employ in such fishery a greater number than one thousand vessels; nor shall they be any way hindered or disturbed in such their fishing; nor shall any charges or duties be exacted from them, on pretense or account of such their fishing, by the ships of war of this republick, or by privateers acting under commissions or letters of mart, or by any fishing vessels on the *Northern* coast of *Britain*, but they shall be treated courteously and amicably, and shall even be permitted to dry their nets on the shore, and to purchase all necessary provisions from the inhabitants of those places at a fair price.

Treaty of alliance and commerce between CHARLES II.
CHARLES XI.
Great Britain and Sweden, concluded at 1661.
Whitehall, October 21, 1661.

Article I.

THAT there shall be and continue from hence Perpetual
peace and
amity.
forward a good, sincere, firm and perpetual
peace and amity, good will and correspondence be-
tween the kings of *Great Britain and Sweden*, and
all and singular their kingdoms, dominions, coun-
tries, provinces, lands, islands, colonies, cities, towns,
people, citizens, and all their subjects and inhabi-
tants whatever; so that both parties may behave
towards each other with the most intire love and
affection.

Article II.

The said confederates and their dominions, sub- Each confe-
derate to pro-
mote the ad-
vantage of
the other.
jects, people and inhabitants, shall take care of and
promote each other's advantage; and shall also cer-
tify one another of any dangers threatened, and
conspiracies and machinations formed by the enemies
of either, and shall oppose and hinder them, as far
as lies in their power: nor shall it be lawful for
either of the confederates, by himself or by any
other persons whatever, to negotiate or attempt any
thing to the hurt or disadvantage of the other's lands
or dominions whatever, any where, either by land
or sea; nor shall he by any means protect any ene-
mies

Enemies or
rebels of one
party not to
be protected
by the other.

mies or rebels to the prejudice of the other confederate, or receive, or admit into his dominions any rebel or traitor, who shall make any attempt against the state of the other; much less shall he afford them any advice, aid or countenance, or suffer any advice, assistance, or favour to be given them by his subjects, people, and inhabitants.

Article III.

All impediments of commerce to be removed.

The said kings and kingdoms shall with all candor and diligence take all possible care, that the impediments, which have hitherto interrupted the freedom of navigation and commerce, not only between both nations, but also with other people and nations through the dominions, countries, seas, and rivers of both confederates, be removed; and they shall sincerely endeavour to assert, establish, defend, and promote the aforesaid freedom of navigation and commerce on both sides, against all disturbers thereof, by the methods agreed upon in this treaty, or by such as may be hereafter agreed upon; and shall not suffer any thing to be done or committed contrary to this treaty, either by themselves, their subjects or people.

Article IV.

Free passage, and commerce with goods not contraband.

It shall be free for either of the said confederates, and their inhabitants and subjects, to enter by land or sea into the kingdoms, countries, provinces, territories, islands, cities, villages, towns walled or not walled,

walled, fortified or not fortified, harbours, dominions or jurisdictions whatever of the other, freely and securely, without any licence or safe-conduct, general or special; and there to pass and repass, to reside therein, or to travel through the same, and in the mean time to buy provisions and all necessaries; and they shall be treated with all manner of benevolence. It shall be lawful also for both the confederates and their subjects, citizens and inhabitants, to trade, traffick and carry on commerce in all places, where commerce has been at any time hitherto used, and in whatever goods and merchandise they please, provided they are not contraband; and they shall have liberty to import and export them at discretion, the due customs being always paid, and the laws and ordinances of both kingdoms, whether relating to merchandise or to any other right, being always observed; which things being presupposed, the people, subjects, and inhabitants of the one confederate shall have and hold in the countries, lands, dominions and kingdoms of the other, as full and ample privileges, exemptions, liberties and immunities, as any foreigner whatever doth or shall enjoy in the said dominions and kingdoms on both sides.

Article V.

Neither the merchants, captains of ships, masters, ^{Persons,} mariners, or other persons whatever, nor the ships, ^{ships, or} goods or merchandise of either confederate, or of ^{goods of ei-} their subjects or inhabitants, shall in any publick or ^{ther party} private ^{not to be ar-} other —

private name, by virtue of any general or special edict, be seized or detained by arrests, in any of the countries, harbours, roads, shores or dominions whatever of the other confederate for the publick use, military expeditions, or for any other cause, much less for the private use of any one; nor be compelled by any manner of violence, or be in any wise molested or injured; provided only, that such arrests as are agreeable to law and equity are not prohibited, if they are made according to the ordinary forms of law, and not to gratify the passions of particular persons, but are indispensably necessary for the administration of right and justice.

unless for the
sake of jus-
tice.

Article VI.

Ships, forced into the ports of either confederate, to enjoy all friendly protection.

But, if one or more ships of either of the confederates, whether ships of war or private merchantships, shall be driven by storms, pirates, enemies, or other urgent necessity, into the ports, havens, or upon any of the coasts of the other confederate, they shall be received courteously, and with all civility, and enjoy friendly protection, without being in any respect hindered from the means of refitting, or from purchasing whatever they want for their provision, repairs and conveniency, at the market price: nor shall they on any account be prohibited to depart in like manner from such port and haven, when they please, without paying any duties or customs, so long as nothing is done or committed contrary to the statutes and ordinances of that place, which such ships shall so arrive and abide at.

Article

Article VII.

For the like reason, if any one or more ships, publick or private, of either of the confederates, or of their subjects or inhabitants, run on shore, are cast away, or suffer shipwreck, or any other damage, the sufferers shall be kindly and amicably protected, and all proper assistance shall be given them in consideration of a due reward, so that whatever remains after shipwreck, or any other damage, may be preserved and restored to the true owners or proprietors; provided they themselves, or their procurators, or persons commissioned by them, lay claim to such ships and goods within twelve months after the wreck hath happened; saving always the laws and customs of both nations.

Mutual
protection
in case of
wrecks and
other losses
at sea.

Wrecks to
be claimed
within 12
months.

Article IX.

It shall be lawful for the said confederates, and each of them, their people and subjects, to buy and export out of the respective countries, dominions, and kingdoms of either, all manner of arms, and warlike stores, and safely and freely to carry their ships to any ports, havens, and shores of either, there to stay, and thence to depart; provided they behave modestly, peaceably, and agreeably to the laws and customs of each place, and do not in any respect hinder the freedom of commerce. In like manner ships of war and guard ships shall have free access to the ports, havens, or rivers of either confederate; and it shall be free for them to cast anchor, and abide there,

Arms, and
warlike stores,
may be ex-
ported from
the domini-
ons of either
party.

Ships of war
of either par-
ty to enter
the ports of
the other on
certain con-
ditions.

there, and to depart from thence without any injury or molestation, provided the following conditions are observed.

The conditions.

1. That the squadron, which shall be allowed to come into the port of the other confederate without previous notice, shall not exceed the number of five or six ships.

2. That the commander of such squadron and ships shall without delay exhibit his letters of safe-conduct to the governor or magistrate of the castle, fort, city, or province, where he shall so arrive, and give notice of the reasons of his coming, and for what end, and how long he designs to stay in that port or haven.

3. That such ships shall not approach or abide nearer to the forts or castles than is convenient.

4. That the mariners, ships companies and soldiers, shall not go on shore in bodies above forty at a time, nor in any number, which may give suspicion.

5. That, while they are there, they shall not do any damage to any person, not even to their enemies; and, above all, shall not stop or obstruct the passage of any merchant-ship whatever into or out of the harbour.

6. That they shall not go out from thence as out of their own harbour, and return again in order to annoy the navigation of any nation whatever.

7. That they shall in all respects live and behave modestly, and conformably to the laws and customs of

of each place, and have special regard to the reciprocal friendship between the confederates: but, if either of the confederates shall think it advantageous or necessary to enter the ports of the other confederate with a greater number of ships, and to enjoy the conveniencies thereof, he shall signify the same to his confederate two months beforehand; during which time they shall agree upon proper regulations for admitting the same; but if the ships of either are driven into the ports of the other, through danger of tempests or enemies, in such case the reason of their coming shall be notified to the governor or chief magistrate of the place, and their abode there must not be longer than the time allowed by the governor or chief magistrate, a regard being always had to the laws and conditions in this article before comprized.

Article X.

It shall be lawful for any of the subjects and inhabitants of *Sweden* safely and without molestation to travel in *England*, and all the dominions thereof, and to pass through the same by land or sea at pleasure to any other nations whatever, and to renew commerce with them, and freely to traffick in all kinds of merchandise, and the same to carry thither and export from thence: and the subjects of the king of *Great Britain* shall enjoy the same liberties in the kingdoms, dominions and territories of the king of *Sweden*; on condition, that the laws, ordi-

Free passage
and com-
merce.

nances and peculiar rights of each nation, relating to commerce and merchandise, be observed on both sides.

Article XI.

The liberty of one party to trade with the enemies of the other not to be restrained, except in regard to contraband goods.

Rebels, or enemies of either party, not to be assisted.

Although the foregoing articles of this treaty, and the laws of friendship, do forbid, that either of the confederates shall furnish any aid or supplies to the enemies of the other, yet it is by no means to be understood, that either confederate, with his subjects and inhabitants, who is not a party in a war, shall be restrained the liberty of trade and navigation with the enemies of the other confederate, who is involved in such war; provided only that no goods called contraband, and especially money, provisions, arms, bombs with their fuzees and other appertinances, fire-balls, gunpowder, matches, cannon-ball, spears, swords, lances, pikes, halberts, guns, mortars, petards, granadoes, musket-rests, bandeliers, saltpetre, muskets, musket-bullets, helmets, head-pieces, breast-plates, coats of mail, commonly called cuirasses, and the like kind of arms; soldiers, horses with their furniture, holsters, belts, or any other instruments of war; nor ships of war and guard-ships be carried to the enemies of the one confederate, on the penalty of being made prize without hopes of redemption, if they are seized by the other confederate; nor shall either confederate permit, that the rebels or enemies of the other be assisted by any of his subjects, or that any ships be sold or lent to, or in any manner made use of by the enemies or rebels of the other to his disad-

disadvantage or detriment : but it shall be lawful for either of the confederates, or his people or subjects, to trade with the enemies of the other, and to carry them any merchandises whatever (not above excepted) without any impediment ; provided they are not carried to those ports or places, which are besieged by the other ; in which case they shall have free leave either to sell their goods to the besiegers, or to repair with them to any other port, which is not besieged.

No merchandise to be carried to places besieged.

Article XII.

But, lest such freedom of navigation and passage of the one confederate should be of detriment to the other, while engaged in war by sea or land with other nations, and lest the goods and merchandises of the enemies should be concealed under the name of a friend and ally, for the avoiding all suspicion and fraud of such sort, it is agreed, that all ships, carriages, wares, and men, belonging to either of the confederates, shall be furnished in their journeys and voyages with safe-conducts, commonly called passports and certificates, such as are underwritten, *verbatim*, signed and subscribed by the chief magistrate of that province and city, or by the chief commissioners of the customs and duties, and specifying the true names of the ships, carriages, goods, and masters of the vessels, as also the exact dates, without any fraud or collusion, together with such other descriptions of that sort, as are expressed in the following form of a safe-conduct and certificate. Wherefore

Ships of either party, trading with the enemies of the other, to carry passports and certificates.

fore, if any person shall affirm upon the oath, by which he is bound to his king, state or city, that he hath given in true accounts, and shall afterwards be convicted, on sufficient proof, of any wilful fraud therein, he shall be severely punished, as a transgressor of the said oath.

Formula literarum
certificatoriarum.

*Form of the pass-
port.*

NOS N. N. gubernator aut supremus magistratus aut teloniorum & custumarum commissarii civitatis vel provinciae N. [apposito titulo aut officio respectivè gubernamenti istius loci] notum testatumque facimus, quod die mensis anni personaliter coram nobis comparuerint, in civitate aut oppido N. ditionis sacrae regiae majestatis Sueciae, N. N. N. cives & habitantes in N. ac subditi sacrae regiae majestatis Sueciae, atque sub fide illius juramenti, quo S. R. M. Sueciae, domino nostro cle-

WE N. N. governor or chief magistrate, or the commissioners of the duties and customs of the city or province of N. [the title or office of the respective government of that place being added] do make known and certify, that on the day of the month of in the year N. N. N. citizens and inhabitants of N. and subjects of his sacred royal majesty of Sweden, personally appeared before us in the city or town of N. in the dominions of his sacred royal majesty of Sweden, and

*mentissimo, et civitati nostræ
attinentur et obstricti sunt,
nobis declaraverint, quod
navis aut navigium N.
dictum, lastarum aut
tonnarum capax, pertineat
ad portum, civitatem, aut
oppidum N. ditionis N.
quodque dicta navis ejus
aut subditorum S. R. M.
Sueciæ justo titulo propria
sit ; jam vero de portu N.
iter vel itinera directe de-
stinasse ad N. sequentibus
onusam mercibus, viz. [hic
specificentur bona cum
quantitate et qualitate eo-
rum ; e. g. tot circiter
plaustra vel involucra, tot
circiter dolia, &c. quemad-
modum quantitas et con-
ditio mercium fuerit.] Ii-
demque asseveraverint sub
juramento prædicto, tantum
N. ex dictis bonis merci-
busque ad subditos S. R. M.
Sueciæ, vel tantum N. ad
N. N. N. [cujuscunque
nationis possessores fuerint
exprimatur] pertinere ;
quodque N. N. N. sub fide*

and declared to us upon
the oath, by which they
are bound to our most
gracious sovereign, his sa-
cred royal-majesty of Swe-
den, and to our city, that
the ship or vessel called
N. of about lasts or
tuns, belongs to the port,
city or town of N. in the
dominions of N. and that
the said ship does right-
fully belong to him or
other subjects of his sa-
cred royal majesty of
Sweden ; that she is bound
directly from the port of
N. to the port of N. la-
den with the following
merchandise ; viz. [*here
shall be specified the goods,
with their quantity and
quality, for example, about
so many chests or bales,
about so many hogsheds,
&c. according to the quan-
tity and condition of them*]
and likewise affirmed on
the oath aforesaid, that
so much only of the said
goods and merchandise
belong

dicti juramenti affirmaverint, dicta bona superius specificata, & non alia, esse imposita aut imponenda in prænominatam navim pro dicto itinere, et quod nulla pars eorum bonorum ad alium quenquam pertineat, quam hosce supra dictos; neque in illa sub quocunque fictitio nomine alia bona colorata aut celata sint, sed vere ac realiter prænominatas merces in usum dictorum proprietariorum impositas esse, et non aliorum: quodque dictæ navis navarchus nominatus N. civis sit civitatis N. — Idcirco, cum post exactam examinationem nobis suprascriptis [gubernatori aut supremo magistratui, aut teloniorum aut customarum commissariis civitatis prædictæ] sufficienter constet, dictam navem aut navigium bonaque imposita libera esse, ac vere et realiter pertinere ad subditos S. R. M. Sueciæ, vel

belong to the subjects of his sacred royal majesty of Sweden, or so much of such goods belong to N. N. N. [specifying what nation the proprietors are of] and that they have declared upon their said oath, that the said goods above specified, and no others, are put on board, or are to be put on board, the above-named ship for the said voyage, and that no part of those goods belong to any other person whatever, but those above-mentioned; and that no goods are disguised or concealed therein under any fictitious name whatsoever, but that the wares above-mentioned are truly and really put on board for the use of the said owners, and no others; and that the captain of the said ship, named N. is a citizen of the city of N. Therefore, since it fully appears

*aliarum nationum incolas
supradictos, ab omnibus
proinde ac singulis terra-
rum, mariumque, potesta-
tibus, regibus, principibus,
rebus publicis, ac liberis ci-
vitatibus, necnon bellorum
ducibus, thalassiarcbis, ge-
neralibus, officialibus por-
tuumque præfectis, aliis-
que omnibus, quibus custo-
dia aliqua portus aut ma-
ris commissa est, quibus-
cunque navim hanc navi-
gando obviam venire, quo-
rumcunque in classes forte
incidere et transire, aut in
portibus morari, contige-
rit, humillime et officiose
requirimus, ut, ratione
fœderum et amicitiae, quæ
respective unicuique, aut
superioribus cujuscunque
est, ac cum S. R. M. Sue-
ciæ rege ac domino nos-
tro clementissimo intercedit,
dictum navarchum cum
navi N. et personis, rebus,
ac mercimoniis ad eandem
spectantibus, non modo sine
impedimento ac molestiis
iter suum libere proseguere
permittant, sed etiam, si*

*appears to us [the gover-
nor or chief magistrate, or
commissioners of the duties
and customs of the city a-
foresaid] after strict exa-
mination, that the said
ship or vessel, and the
goods on board the same
are free, and do truly and
really belong to the sub-
jects of his sacred royal
majesty of Sweden, or to
the inhabitants of other
nations as aforesaid, We
do most humbly and earn-
estly require of all and
singular powers by land
and sea, kings, princes,
republicks, and free ci-
ties, also of all generals,
admirals, commanders,
officers and governors of
ports, and all others, guard-
ing any harbour or sea,
who may happen to
meet this ship in her voy-
age, or into or thro' whose
squadrons she may happen
to fall or pass, or in whose
ports she may happen to
stay, that, for the sake
of the alliance and friend-
ship, which subsist respec-*

E e

tively

*ex dicto portu aliò quovis
tendere commodum duxe-
rit, ei, tanquam S. R. M.
Sueciæ subdito, cum navi
sua omnia humanitatis of-
ficia exhibeant, eadem vi-
cissim a S. R. M. Sueciæ
omnibusque ejus ministris
et subditis in pari vel alio
casu experturi.*

*In cujus rei fidem præ-
sentes, manu subscrip-
tas, civitatis nostræ
sigillo muniri cura-
vimus. Dabantur,
&c.*

tively between them, or
their superiors, and his sa-
cred royal majesty our
most gracious sovereign
the king of *Sweden*, they
will not only permit the
said captain with the said
ship *N.* and the men,
goods, and merchandise
belonging to the same to
prosecute his voyage free-
ly, without lett or mo-
lestation, but also, if he
thinks fit to depart out
of the said harbour else-
where, that they will shew
all kind offices to him
and his ship, as a subject
of his sacred royal maje-
sty of *Sweden*, as they shall
in like manner experience
the same from his sacred
royal majesty of *Sweden*,
and from all his ministers
and subjects in the like or
any other case.

In witness whereof we
have taken care, that
the said presents, sign-
ed by our hands, are
sealed with the seal
of our city.

Given, &c.

There-

Therefore, when the goods, ships, or men of either confederate, or his subjects and inhabitants, shall meet in the open sea, or in any ports, havens, countries or places whatever, with any ships of war or privateers, or any subjects and inhabitants of the other confederate, after producing their letters of safe-conduct and certificates aforesaid, nothing farther shall be demanded of them, nor any inquiry whatever be made with respect to the goods, ships or men, much less shall they be injured, damaged, or molested, but they shall be suffered freely to prosecute their voyage and purpose. But in case that the said solemn and stated form of a certificate is not produced, or there is any other just and strong cause of suspicion, why a ship ought to be searched (which shall only be deemed justifiable in such case, and not otherwise) then if the goods of an enemy are found in such ship of the confederate, that part only, which belongs to the enemy, shall be made prize, and what belongs to the confederate shall be immediately restored: the same rule shall likewise be observed, if the goods of the other confederate are found on board a ship of the enemy. If any thing shall be done on either side contrary to the genuine sense of this article, both confederates shall take care, that the severest punishments, due for the most heinous crimes, be inflicted on such of their subjects and inhabitants as shall offend herein, for their contempt and transgression of the royal commands; and that full and immediate satisfaction be made to the injured party, for all damage and expenses, (of which the most sum-

All ships to pass free, producing passports and certificates.

In case of search, the goods of enemies, and no other, are to be made prize.

mary proof shall be admitted,) by the other confederate, or his subjects and inhabitants, without any intricate niceties of law.

Article XIII.

Neither party to harbour the enemies of the other, or suffer them to sell their captures.

Subjects of one party, brought prisoners into the ports of the other, to be immediately set at liberty.

Neither of the confederates shall suffer the ships, vessels, goods or merchandise of the other, or of his people or subjects, taken at sea or elsewhere by enemies or rebels, to be brought into his ports or dominions, but shall publicly forbid any thing of that kind to be done; and if any ships, vessels, goods or merchandise of either, or of his people or subjects, taken at sea or elsewhere, shall be carried into the ports or countries of the other by any enemy or rebel of either of the confederates, such confederate shall not suffer the same, or any part thereof, to be sold in that port, or any other place in his dominion; but shall take care that the master of the ship or vessel so taken, as also the mariners and passengers, shall, as soon as they arrive, be immediately set at liberty, together with as many of the prisoners, being subjects of either kingdom, as shall be brought thither; nor shall he permit the said ship or vessel to stay in that harbour, but shall oblige her, with her goods, merchandise and lading, immediately to leave the port; provided nevertheless, that nothing in this article be prejudicial to the alliances formerly entered into by either of the confederates with other nations; but, when they do not interfere, that the above article shall remain in full force.

Article

Article XIV.

If it shall happen hereafter, while this friendship and alliance subsists, that any of the people and subjects of either of the confederates shall do or endeavour any thing contrary to this treaty, or any part thereof, by land, sea, or in any waters, this friendship, treaty and alliance, between the said confederates, shall not on that account be interrupted or dissolved, but shall nevertheless continue and remain intire; and those particular persons only shall suffer punishment, who shall violate this treaty; and they, who receive injury, shall have right and justice done, and satisfaction made to them for all their loss and injury, within twelve months after the demand of restitution: but in case such delinquents, and persons guilty of the violence committed, shall refuse to appear and submit to justice, or to make satisfaction within the term aforesaid, whoever they are, they shall be renounced as enemies of both states, and their substance, goods, and possessions, what and how great so ever, shall be confiscated and sold, towards making full and just satisfaction for the injuries by them committed; and the offenders themselves, when they come into the jurisdiction of either state, shall moreover suffer condign punishment according to the nature of the crime.

This peace not to be interrupted by private injuries.

Offenders to be punished, and restitution made within 12 months.

Offenders, not appearing, to be declared enemies, and forfeit their possessions.

Article XV.

The present treaty and confederacy shall derogate nothing from any pre-eminence, right and dominion whatever of either of the confederates, in any of their
seas,

This treaty not to derogate from former rights.

seas, straits and waters whatever, but they shall have and hold the same in as ample manner, as they have hitherto enjoyed them, and as to them of right appertains.

Article XVI.

Freedom of navigation and commerce to be mutually supported in all places.

Whereas therefore it is the principal end of this treaty, that such a freedom of navigation and commerce, as is stipulated by the foregoing articles, may be and remain, on both sides, to both the confederates, their subjects and inhabitants, in the *Baltick*, the *Sound*, the *Northern*, *Western*, *British*, and *Mediterranean* seas, and the channel, and all the other seas of *Europe*; it is agreed, that both sides shall sincerely contribute their joint advice, aid and assistance, that the said mutual freedom of navigation and commerce may be established and promoted in all the said seas and straits; and, if there is occasion, that it be defended against all disturbers, who shall offer to interrupt, prohibit, hinder, or constrain it for their own pleasure, and to the detriment of the confederates: and both confederates shall in the most courteous manner shew their good will and readiness for promoting the advantage, and removing any inconveniencies of the other confederate; saving nevertheless those treaties, heretofore entered into, by both nations, with other kingdoms, republicks and states, which shall subsist in full force; but hereafter neither of the confederates shall by any means enter into any treaty, or make any compact with other foreign nations or people whatever, to the prejudice of

Former treaties, entered into by either party with foreign states, not to be impeached.

of the present treaty in any respect, without the previous knowledge and consent of the other confederate; and, if any thing is otherwise stipulated hereafter with any other, it shall be reckoned null and void, and shall intirely give place to what is mutually agreed to by this present treaty.

No future foreign treaty, derogatory of the present treaty, to be made by either party without permission.

Note, This is the latest treaty of commerce, subsisting between the crowns of England and Sweden; for, altho' several treaties have been concluded, since the year 1661, they were all temporary, and are now expired.

Some of the expired treaties are the following.

Treaty of alliance and commerce between Great Britain and Sweden, concluded at Stockholm, March 1, 1664-5.

Vid. Corps Dipl. tom. vii. part 1. p. 280.

The duration of this treaty is limited to the term of ten years.

Treaty of commerce between Great Britain and Sweden, concluded at Stockholm, February 16, 1666.

Vid. Corps Dipl. tom. vi. part 3. p. 83.

This appears to be no more than an extract, made ex parte by Charles XI. king of Sweden, of several marine articles from the two treaties of 1664-5, and 1661, together with his edict for the due observance of those articles by his own subjects.

Treaty

1674. Treaty of alliance and commerce between *Great Britain* and *Sweden*, concluded at *Westminster*, September 30, 1674.

Vid. Corps Dipl. tom. vii. part 1. p. 280.

By the first article of this treaty it is stipulated, that the treaty of March 1, 1664-5, shall continue in force for the space of two years, after the first term of ten years is expired.

1700. Treaty of alliance between *Great Britain* and *Sweden*, [and the *States General*,] concluded at the *Hague*, January 13, 1700.

Vid. Corps Dipl. tom. vii. part 2. p. 475.

The second article of this treaty confirms all former treaties according to their respective stipulated terms of continuance; and the 18th article limits the terms of it's duration to 18 years.

1720. Treaty of alliance between *Great Britain* and *Sweden*, concluded at *Stockholm*, January 21, 1720.

Vid. Corps Dipl. tom. viii. part 2. p. 19.

This treaty refers to two former treaties, made in the year 1664-5, and 1700, as it's basis and foundation; but the 20th article limits it's duration to the term of 18 years, which expired in January 1738.



TREATIES

WITH

DENMARK.

Treaty of peace and amity between *Great* JAMES I.
Britain and Denmark, concluded at *Lon-* CHRISTIAN
don, April 19, 1621. IV.
 1621.

ARTICLES I. XIII. and XIV. of this treaty
 are comprehended in articles I. V. and VI. of
 the treaty of 1670.

of Treaty

OL. CROM.
Protector.
FREDERICK
III.
1654.

Treaty of peace and alliance between *Oliver Cromwell*, protector of the republick of *England*, and *Frederick III.* king of *Denmark*, concluded at *Westminster*, September 15, 1654.

Articles I. II. XIII. and XIV. of this treaty are comprehended in articles I. V. XXIX. and XXX. of the treaty of 1670.

CHARLES II.
FREDERICK
III.
1660-I.

Treaty of peace and alliance between *Great Britain* and *Denmark*, concluded at *Whitehall*, February 13, 1660-I.

Articles I. VI. XIX. XX. XXI. and XXIV. of this treaty are comprehended in articles I. V. XXIX. XXX. XXIII. and XL. of the following treaty of 1670.

CHARLES II.
FREDERICK
III.
1669.

Treaty of alliance and commerce between *Great Britain* and *Denmark*, concluded at *Westminster*, November 29, 1669.

THIS treaty of the 29th of November 1669, and the subsequent treaty of the 11th of July 1670, are, article for article, the same in substance: and the

the latter, being made within eight months after the former, was probably concluded only as a renewal of the former, on the account of the accession of Christian V. to the throne of Denmark in 1670.

**Treaty of alliance and commerce between
Great Britain and Denmark, concluded
at Copenhagen, July 11, 1670.**

CHARLES II.
CHRISTIAN V.
1670.

Article I.

IT is agreed, that there shall be between the two kings, their heirs and successors, as also their kingdoms, principalities, provinces, estates, countries, islands, cities, subjects and vassals, of what condition, dignity, and degree soever, by land and sea, in rivers, fresh waters, and all places whatever, as well in *Europe* as out of *Europe*, now and for the time to come, a sincere, true, and perfect friendship, peace, and confederation; so that neither party do any wrong, injury, or prejudice to the kingdoms, principalities, provinces and estates, or to the inhabitants and subjects of the other, nor suffer any to be done by others, as much as in him is, but rather live as friends together, using each other with goodwill and respect, and promoting upon all occasions the interests and advantages of each other, and their subjects, as if they were their own, and preventing

Sincere
and perfect
peace.

and hindering with all their power, by their assistance and advice, any damage, wrong and injury, which may be offered them.

Article III.

Neither party to aid the enemies of the other, with soldiers, arms, &c.

The aforefaid kings for themselves, their heirs and fucceffors, mutually do undertake and promise, that they will not aid or furnish the enemies of either party, which fhall be aggreffors, with any provisions of war, as fouldiers, arms, engines, guns, fhips, or other neceffaries for the ufe of war, or fuffer any to be furnifhed by their fubjects; but if the fubjects of either prince fhall prefume to act contrary hereunto, then that king, whole fubjects fhall have fo done, fhall be obliged to proceed againft them with the higheft feverity, as againft feditious perfons and breakers of the league.

Article V.

Freedom of trade.

It fhall be lawful for the fubjects of both kings, with their commodities and merchandife, both by fea and land, in time of peace, without licence or fafe-conduct, general or fpecial, to come to the kingdoms, provinces, mart-towns, ports, and rivers of each other, and in any place therein to remain and trade, paying the ufual cuftoms and duties; referving nevertheless to either prince his fuperiority, and regal jurifdiction in his kingdoms, provinces, principalities, and territories refpectively.

Article

Article X.

The subjects of either crown, trading upon the seas, and sailing near the coasts of either kingdom, shall not be obliged to come into any port, if their course was not directed thither, but shall have liberty to pursue their voyage, without hinderance or detention, whither-so-ever they please; nor shall they, being by tempest forced into port, and there remaining, be obliged to unload their cargo, or to barter or sell any part thereof; but it shall be lawful for them to dispose of it, as they shall think fit, and to do any other thing, which they shall judge most for their advantage, provided, that nothing is done, which tends to defraud either prince of his due rights and customs.

Subjects of either party shall not be obliged to enter any port, to which they were not bound; and, being forced in, shall not be compelled to sell any part of their goods.

Article XVI.

It shall be lawful for either of the confederates, and their subjects or people, to trade with the enemies of the other, and to carry to them, or furnish them with all kinds of merchandises, (except only prohibited goods, which are called contraband,) without any impediment, unless in ports and places besieged by the other; which nevertheless if they shall do, it shall be free for them either to sell their goods to the besiegers, or go to any other port or place not besieged.

Freedom of trade with the enemies of each other, unless in contraband goods, and to ports besieged.

Article XX.

But, lest such freedom of navigation, or passage, of the one ally, and his subjects and people, during the

the

A passport
and certifi-
cate necessa-
ry.

the war, which the other may have by sea or land with any other country, may be to the prejudice of the other ally, and that goods and merchandises, belonging to the enemy, may be fraudulently concealed under colour of being in amity, for preventing fraud, and taking away all suspicion, it is thought fit, that the ships, goods and men, belonging to the other ally, in their passage and voyages, be furnished with letters of passport and certificate, the forms whereof ought to be as follow.

Form of the Danish passport and certificate.

Christian *cinquieme*,
par la grace de
Dieu, roi de Dan-
nemarc et de Nor-
wege, &c.

Christian the fifth,
by the grace of
God, king of *Den-*
mark and Norway,
&c.

Passport.

SOIT notoire à tous
& *chacuns*, qui nos
presentes lettres de passe-
port verront, que
nostre sujet et citoien de
nostre cité de nous
a humblement représenté,
que le navire nommé . . .
du port de tonneaux,
lui appartient et à quel-
ques autres de nos sujets,

BE it known to all
and singular persons,
who shall see these our
letters of passport, that
. . . . our subject and ci-
tizen of our city of . . .
hath humbly represented
to us, that the ship called
the of the burden of
. . . . tuns, doth appertain
to him and certain other
of

& qu'ils en sont les seuls
 propriétaires, & qu'il est
 de present chargé de den-
 rées, qui sont contenuës
 en un billet des officiers
 de nos douanes, que le
 navire a à bord ; &
 qu'il appartient a nos su-
 jets ou à d'autres interef-
 sez, qui sont en neutralité :
 & est prêt à partir du
 port de pour aller
 en tel autre lieu ou lieux,
 ou il pourra commodement
 trafiquer avec les dites
 marchandises, qui ne sont
 pas deffenduës, ni appar-
 tenantes à l'une ou l'autre
 des parties en guerre, ou
 bien trouver son fret ; ce
 que nostre dit sujet ayant
 attesté par escrit signé de
 son seing, & affirmé par
 serment être veritable sous
 peine de confiscation des-
 dites denrées, nous avons
 jugé à propos de lui accor-
 der nos presentes lettres
 des passeport ; & partant
 nous prions & requerons

of our subjects, and that
 they are the sole proprie-
 tors of the same, and that
 the said ship is laden with
 certain goods, a particu-
 lar whereof is contained
 in a cocket, which has
 been made out by the of-
 ficers of our customs, and
 is now on board the said
 ship ; and that the same
 belongs to our subjects, or
 others, having an interest
 therein ; who are the sub-
 jects of neutral powers ;
 and that she is ready to
 depart from the port of
 in order to proceed
 to some other place or pla-
 ces, where she may com-
 modiously traffick with
 the said goods, which are
 not contraband, nor ap-
 pertaining to either of
 the parties now engaged
 in war ; or in order
 to earn her freight ; all
 which having been at-
 tested by our said subject
 in a writing duly signed
 by

tous gouverneurs de pays et commandans sur mer, rois, princes, republiques, & villes libres, & particulièrement les parties, qui sont presentement en guerre, & leur commandans, admiraux, generaux, officiers, maitres de ports, commandans de navires, capitaines, fretteurs, & tous autres, qui ont quelque jurisdiction par mer, ou la garde d'aucun port, qu'il lui arrivera de rencontrer, ou parmi la flotte, ou navires, desquels il lui arrivera de tomber ou demeurer dans leurs ports, qu'en vertu de l'alliance & amitie, que nous avons avec aucun roy ou estat, ils souffrent le dit maitre avec le navire, personnes, biens & toutes les marchandises, qui sont sur son bord, poursuivre son voyage vers quelque lieu, que ce soit, non seulement avec liberté & sans au-

by him, and affirmed by virtue of his oath to be true, upon pain of confiscation of the said goods, We have thought proper to grant him these our letters of passport, and therefore we desire and request all governors of countries and commanders at sea, all kings, princes, republicks and free towns, and particularly the parties now engaged in war, and their commanders, admirals, generals, officers, governors of ports, commanders of ships, captains, freighters, and all others having any command at sea, or the guard of any port, whom the said ship shall happen to meet with, or among whose fleets or ships she may happen to fall, or in whose ports she may happen to stay, that in virtue of the alliance and amity, which
subsist

*cune molestation, detention
ou empêchement, mais en-
core qu'ils lui rendent tous
offices de civilité, comme
à nostre sujet, s'il y a occa-
sion; ce que nous & les nos-
tres serons prêts à recon-
noître en pareille ou autre
occasion. Donné le
jour de de l'année*

subsist between us and
the king or state, they
not only suffer the said
master with the ship
men, goods, and all mer-
chandises, which are on
board her, to pursue his
voyage towards any place
whatsoever with full li-
berty, without being any
way molested, hindered,
or detained, but that they
likewise shew him all kind
offices of civility, as unto
our subject, if any occa-
sion should offer; which
we and our subjects shall
be ready to acknowledge
on the like or any other
occasion. Given this
day of in the year
. . . .

*Nous le president, con-
suls, & senateurs de la
ville de attestons &
certifions, que le jour
de de l'année
est venu & comparu en*

We the president, con- Certificate:
suls, and senators of the
town of do attest
and certify, that N. N.
citizen and inhabitant of
the city or town of
G g on

personne devant nous N. N. citoyen & habitant de la cité ou ville de & sous le serment, qu'il est obligé envers le roi nostre souverain seigneur, nous a déclaré, que le navire ou vaisseau, nommé, du port de tonneaux, appartient au port, cité ou ville de en la province de & que le dit navire lui appartient justement & est de présent prêt a partir directement du port de, chargé des denrées mentionnées au billet, qu'il a receu des officiers des douanes, & qu'il a affirmé par le serment susdit, que le vaisseau ci dessus nommé avec les denrées et marchandises, dont il est chargé, appartient seulement aux sujets de sa majesté, et ne porte point de marchandises deffendues, qui appartient à l'une ou à l'au-

on the day of in the year came and appeared personally before us, and declared to us by virtue of the oath, by which he is bound to our sovereign lord the king, that the ship or vessel named of the burden of tuns, belongs to the port, city, or town of in the province of and that the said ship does really and truly appertain to him, and is now ready to depart directly from the port of laden with the goods specified in the cocket, which he hath received from the officers of the customs ; and that he hath affirmed upon his said oath, that the above-mentioned ship, together with the goods and merchandises with which she is laden, belongs to his said majesty's subjects only,

*tre des parties, qui sont a
present en guerre.*

*En temoignage de quoi
nous avons fait signer
le present certificat
par le sindic de nostre
ville, & y avons fait
apposer nostre sceau.
Donné, &c.*

ly, and that she does not
carry any prohibited goods
appertaining to either of
the parties now engaged
in war.

In witness whereof, we
have caused the pre-
sent certificate to be
signed by the syn-
dick of our town,
and have thereunto
put our seal. Gi-
ven, &c.

When therefore the merchandise, goods, ships, or
men of either of the allies, and their subjects and
people, shall meet in open sea, straits, ports, havens,
lands, and places whatever, the ships of war, whe-
ther publick or private, or the men, subjects and
people of the other ally, upon exhibiting only the
aforesaid letters of safe-conduct and certificates, no-
thing more shall be required of them; nor shall
search be made after the goods, ships, or men; nor
shall they be any other way whatsoever molested or
troubled, but shall be suffered with all freedom to
pursue their intended voyage. But if this solemn and
set form of passport and certificate is not exhibited,
or there is any other just or urgent cause of suspicion,
then shall the ship be searched, which is nevertheless
understood to be permitted in this case only. And,

Search may
be made,
when pass-
ports are not
exhibited.

Persons, acting contrary to this article, to be punished, and make satisfaction.

if any thing shall be committed, contrary to the true meaning of this article, against either of the allies, each of the said allies shall cause his subjects, and people offending, to be severely punished, and full and intire satisfaction to be forthwith given, and without delay, to the party injured, and his subjects and people, for their whole loss and expences.

Article XXI.

British ships, passing by *Gluckstadt*, and other places upon the *Elbe*, to be free from all customs and search.

That all ships of subjects and people of the king of *Great Britain*, together with their lading and merchandise, passing by the port of *Gluckstadt*, or other places and towns under the dominion of the king of *Denmark*, situated upon the river *Elbe*, shall both going and returning be free and exempt from all customs, imposts, search, seizure, and molestation, except only the case of search in the time of war, when the king of *Denmark* shall be at war with any other king or state.

Article XXIII.

No ships or goods of either party to be adjudged prize, but by due course of law.

That no ships whatever, vessels, or merchandise, laden on ships of whatsoever nature, kind or quality, however taken, belonging to any of the subjects of either of the aforesaid kings, shall, under any colour or pretense whatever, be adjudged good prize, unless by a judicial examination, and process in form of law, in a court of admiralty.

Article

Article XXV.

If the ships of either of the allies, and their subjects and people, whether they are merchant-ships or ships of war, shall happen to run on ground, or fall upon rocks, or are forced to lighten themselves, or shall otherwise suffer shipwreck (which God forbid) upon the coasts of either king, the aforesaid ships with their tackle, goods and merchandise, or whatever shall be remaining of them, shall be restored to their owners and proprietors, provided they or their agents claim the said ships and goods within the space of a year and a day after such shipwreck suffered; saving always the rights and customs of both nations. The subjects also and inhabitants, dwelling upon the said coasts and shores, shall be obliged to come to their aid in case of danger, and, as much as in them lies, to give their assistance; and shall do their utmost endeavour either for freeing the ship, or saving the goods, merchandise, and apparel of the said ship, and what else of the same they shall be able, and for the conveying the same into some safe place, in order to be restored to the owners; they paying salvage, and giving such recompense to the persons, by whose assistance and diligence the said merchandise and goods shall have been recovered and preserved, as they shall deserve: and finally both parties, in case of such misfortune, shall cause to be observed, on their side, what they would desire to be observed and done on the other side.

The remains
of a ship-
wreck to be
preserved,
and restored
to the own-
ers.

Article

Article XXVI.

Ships, commanders of ships, mariners, &c. not to be arrested, unless for the preservation of the kingdom, or the sake of justice.

The commanders of ships, or their pilots, soldiers, mariners and seamen, as also the ships themselves, and the goods and merchandise on board them, shall not be seized or arrested by any warrant, either general or special, or for any cause, unless for the defense and preservation of the kingdom; which yet shall not be understood to be meant of seizures and arrests made by authority of law for debts contracted, or any other legal cause whatever, in which case it shall be lawful to proceed according to the rules of justice and law.

Article XXVIII.

Ships of war of one party to protect the merchant-ships of the other, holding the same course.

The convoys or ships of war of either party, meeting in their voyage, or overtaking any merchant-ships or others, belonging to the other ally or his subjects, and making the same course at sea, in *Europe* or out of *Europe*, shall be obliged to guard and defend them as long as they shall hold the same course together.

Article XXIX.

Pirates to be apprehended, and punished; and their captures to be restored to the lawful owners.

For the greater security of commerce, and freedom of navigation, it is concluded and agreed, that neither party shall permit, that publick pirates, or other robbers upon the sea, shall have their receptacles or retreats in any of the ports of the other, or shall suffer, that any of the inhabitants or people of either prince do receive them into their houses, or supply

supply them with provisions, or be otherwise assisting to them, but on the contrary both parties shall endeavour, that the said pirates or robbers, and their partisans and accomplices, be apprehended and punished according to their demerit, and the ships and goods, as much as can be found of them, restored to the lawful owners or their agents, provided their right be made appear by due proof of law in the court of admiralty.

Article XXX.

It is concluded and agreed, that there shall be at all times free access for the subjects and people of either party to the ports and coasts of both princes, and it shall be lawful for them to remain therein, and from thence again to depart, and also to pass through the seas and territories whatever of either king respectively (not committing any waste or injury) not only with merchant-ships and ships of burden, but also with ships of war, whether the same are upon the publick account, or acting by private commissions; whether they enter by reason of tempest, and for avoiding the danger of the sea, or to refit or buy provisions; so that they exceed not the number of six ships of war, if they enter of their own accord; and they shall not remain longer in or about the ports, than shall be necessary for refitting their ships, buying provisions or other necessaries: and, if they should upon occasion desire to come into the said ports with a greater number of ships of war, it shall in no wise be lawful for them to enter therein without

Freedom of access to the ports of each other.

Ships of war, exceeding six, not to enter any port without permission, unless driven in by necessity.

The commander to certify the cause of his coming, and not to stay longer than he is permitted.

without first giving timely notice by letter of their coming, and obtaining leave of those, to whom the aforesaid ports belong. But, if by force of tempest, or other urgent necessity, they shall be compelled to put into harbour, in such case, without any precedent notice, the ships shall not be restrained to a certain number; but with this condition nevertheless, that their admiral or commander in chief presently after his arrival shall acquaint the chief magistrate or commander of the place, haven or coast, whither they are come, with the cause of his coming: nor shall he stay longer there than shall be permitted him by the said chief magistrate or commander, and shall not act or attempt any hostility in the ports, whereinto he hath betaken himself, or any thing prejudicial to that confederate, to whom they shall belong.

Article XXXI.

The subjects of one ally not to take commissions of war from the enemy of the other.

It shall not be lawful for the subjects of either king, or the inhabitants of the kingdoms or lands under their obedience, to procure of any prince or state, who is at difference or in open war with either of the allies, letters patent, called commissions of reprisals; much less, by virtue of such letters, to molest or damnify the subjects of either. Both the said kings shall strictly prohibit their subjects respectively, that they do not procure or accept from other princes or states any such commissions; but shall, as much as in them lies, forbid and hinder the committing any depredations by virtue of such commissions.

Article

Article XXXII.

If any ship or ships, belonging to the subjects of either king, are taken in the ports of either by any third power, they, in whose port, or within whose jurisdiction, the aforesaid ships shall be taken, shall be mutually obliged to use their endeavours, together with the other party, for the finding and retaking the said ship or ships, and restoring them to the owners; which nevertheless shall be done at the charge of the said owners, or the parties interested.

Ships of either party, taken within the jurisdiction of the other, to be restored.

Article XXXIII.

But, if in the ships taken by the subjects of either ally, and brought into any port belonging to the other, there shall be found any seamen or other persons, who are subjects of that ally, into whose ports or rivers the prize shall be brought, they shall be civilly used by those, who have taken them, and restored to their liberty forthwith, and without ransom.

Subjects of one ally, taken in the ships of the enemies of the other, are to be set at liberty.

Article XXXIV.

But, if a ship of war, or any other, laden with prohibited goods, belonging to the other crown, happens to be taken, it shall not be lawful for the captains or commanders, who have taken her, to open or break up any chests, tuns, or bales on board the said ship, nor to transport or otherwise alien any of her merchandises, until they have been first put on shore, and an inventory thereof made before the judges of the admiralty.

A ship with prohibited goods being taken, the bales are not to be opened, or sold, till the goods are landed, and an inventory is made.

Article XXXV.

Ships of war and others of one party not to injure the ships or subjects of the other.

And for the greater security of the subjects of both kings, and for preventing all violence towards them from ships of war, all commanders of any of the ships of war, belonging to the king of *Great Britain*, and all other his subjects whatever, shall be strictly charged and required, that they do not molest or injure the subjects of the king of *Denmark*; and, if they shall do otherwise, they shall be liable to answer it in their persons and estates, and shall therein stand bound, till just satisfaction and compensation shall be made for the wrongs by them done, and the damage thereby sustained or to be sustained. In like manner shall all commanders of the ships of war, belonging to the king of *Denmark*, and all other his subjects whatever, be strictly charged and required, under the same penalties, that they do not molest or injure the said subjects of the king of *Great Britain*: provided nevertheless, that all the aforesaid actions are examined and adjudged by due and legal proceeding in the court of admiralty of either king; or, if it shall rather seem meet to either of the parties, being a stranger in the place, where the controversy is to be decided, they shall be examined before certain commissioners, which either king, so soon as they shall be desired, shall appoint to that end; that so proceedings by this means may be not only carried on without great expenses, but also ended within three months at farthest.

The causes to be adjudged in the courts of admiralty; or by commissioners appointed by either king.

Article

Article XXXVI.

Both kings shall take care, that judgement and sentence concerning prizes taken at sea may be given according to the rules of justice and equity by persons not suspected or interested; and, being once given by such judges as aforesaid, they shall strictly charge and require their officers, and whom it shall concern, to see the same put in due execution, according to the form and tenor thereof.

Sentences concerning prizes to be given according to justice.

Article XXXVII.

If the ambassadors of either king, or any other publick ministers, residing with the other king, shall happen to make complaint of any such sentence, that king, to whom complaint shall be made, shall cause the said judgement and sentence to be reheard and examined in his council, that it may appear whether all things requisite and necessary have been performed, according to the rules of this treaty, and with due caution; and, if the contrary hath happened, it shall be redressed; which is to be done at the farthest within three months time: neither shall it be lawful, either before the giving the first sentence, or afterwards, during the time of re-hearing, to unlade, or sell and alien the goods in controversy, unless it is done by consent of parties, and to prevent the perishing of the said goods and merchandise.

Sentences, if complained of, to be examined in council.

No goods to be sold, till the final sentence is given, unless by consent, or to prevent loss.

Article XL.

The *English*
to enjoy the
same privi-
leges, as any
other stran-
gers, except
the *Swedes*.

The *Danes*
to enjoy the
same privi-
leges as the
Hollanders,
or any other
nation.

Also it is agreed, that, if the *Hollanders*, or any other nation whatever, (the *Swedish* nation only excepted) hath obtained already, or shall hereafter obtain any better articles, agreements, exemptions or privileges, than what are contained in this treaty, from the king of *Denmark*, the same and like privileges shall be likewise granted to the king of *Great Britain* and his subjects, effectually and fully to all intents and purposes. And on the other side, if the *Hollanders*, or any other nation whatever, hath or shall obtain from his majesty of *Great Britain* any better articles, agreements, exemptions or privileges, than what are contained in this treaty, the same and like privileges shall be granted to the king of *Denmark* and his subjects also, in most full and effectual manner.

Article XLI.

Former treat-
ies, not re-
pugnant to
the present,
confirmed.

It is also concluded, that former treaties and leagues at any time heretofore made between the aforesaid confederates or their predecessors, as well for the kingdoms of *Great Britain*, &c. as for the hereditary kingdoms of *Denmark* and *Norway*, &c. respectively, shall not in the least be reputed or taken to be broken and abolished by any agreement, covenants or articles, contained in the present treaty, but that they shall remain in full force, effect, and virtue, so far as they are not contrary or repugnant to the present treaty, or any article therein contained.

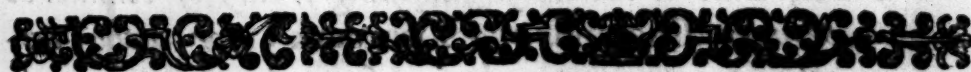
Note,

Note, *This is the latest subsisting treaty of commerce between England and Denmark; for altho' another treaty was made in 1691, it appears to be only provisional, and to have been intended to last no longer, than the war should continue between England and France.*

Vid. Corps Dipl. tom. vii. part 2. p. 293.

Several subsidiary treaties, with articles renewing and confirming former treaties, have also been since concluded, between the crowns of England and Denmark in the years 1734, 1739, &c. but, their duration having been limited to short terms, these treaties are not now in force.

SAVOY.



T R E A T Y

WITH

S A V O Y.



CHARLES II. Treaty of amity and commerce between
 CHARLES
 EMAN. II. *Great Britain and Savoy*, concluded at
 1669. *Florence, September 19, 1669.*

Article I.

Peace con-
 firmed.



HAT peace, which hath not been interrupted for many years, is by these presents ratified and confirmed between the king of *Great Britain* and the duke of *Savoy*; and their subjects shall be obliged on all occasions to shew all kind of civility and reciprocal affection towards each other.

Article

Article II.

It shall be lawful and free for all kinds of ships and vessels, belonging to his *Britannick* majesty or his subjects, to carry and bring into the ports of *Villa Francha*, *Nice*, or *Saint Hospice*, all things whatever, and all kinds of merchandises of what nature soever, and where-ever produced; and they may freely land and lodge all such goods and merchandises in any places within such ports, for the security and preservation of the same, without any confiscation, or the exaction of any impost or duty whatever, in case such goods, or any part of them, are not sold in such ports.

Free liberty
for *British*
subjects to
import all
kinds of mer-
chandise into
the ports of
Savoy.

Article V.

All kinds of ships and vessels, belonging to his *Britannick* majesty or his subjects, which shall sail from *England*, or from any other port under his majesty's obedience, or belonging to his dominions, which shall not be infected with the plague, and shall arrive at the ports of *Nice*, *Villa Francha*, or *Saints Hospice*, with certificates and attestations of their good health, and not having traded in their voyage in any place, or with any persons suspected to be infected, shall be free from performing any quarantine, or observing any days of purgation whatever; and all persons, on board such ships, shall be at liberty to trade immediately in such ports.

British ships
coming from
British ports,
with certi-
ficates of
health, not
to perform
quarantine.

Article

Article XII.

British mariners deserting, and entering on board other ships, to be returned to their captain.

Penalties of concealing *British* mariners.

Concerning the debts of mariners.

All mariners, subjects of his majesty, who, without leave of their captain or master, shall retire and enter on board of any other ship or vessel, on complaint being made thereof to the officer of his royal highness at *Nice, Villa Francha, or Saint Hospice*, shall be taken out of the ship, which shall have received them, and they shall be returned to their first captain or master. If any mariner leaves his captain, or master, and retires to any publick or private house in the said ports, and shall be hid by the inhabitants thereof, he shall be taken out of the same by force, and the master of the house shall be condemned in the penalty of twenty dollars for every the like offense. If any mariner lies on shore in any private or publick house without a permission in writing signed by his officer, the master of the house, who harboured him, shall be fined ten dollars. If any mariner contracts a debt with an inhabitant of the said ports, or runs in debt to him farther than for one dollar, without permission in writing of the captain or master, the creditor shall lose his right; but, if any mariner gets any person, who is not a mariner, to answer for his debt, the mariner shall go free, but he, who answered for him, may be detained for the debt.

Article

Article XIII.

Whenever any ships of war, belonging to his *Britannick* majesty, shall enter into any of the said ports, they shall be received there with the same honours in all points, as any other ships or vessels, belonging to any other prince whatever; and, during the time of the continuance of any such ships in the said ports, they shall not be refused any thing, which shall be necessary or convenient for them, they paying a reasonable price for the same: and, with regard to provisions, it shall be lawful for all persons, employed to provide and furnish provisions for such ships, to contract for the purchase of all things necessary and convenient for their sustenance throughout his royal highness's dominions, and to bring all things so purchased into the said ports, without paying any duty, custom, or impost whatever, but only paying the prime cost for the same: and his majesty's said ships of war shall, during their continuance in the said ports, be protected and defended against any person whatever, who shall offer to do them any violence, or to commit hostilities against them.

British ships
of war to be
well receiv-
ed, supplied,
and protect-
ed, in the
three ports
of *Savoy*.

Article XV.

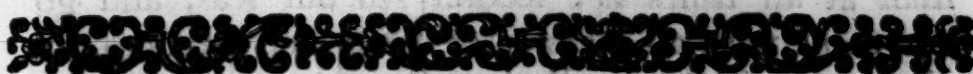
It is finally agreed, that all immunities, privileges, and concessions, contained in the general publication, which has been made of a free port by his royal highness, and which are not mentioned or specified in the preceding articles, shall be understood as ex-

All privi-
leges, grant-
ed in the ge-
neral publi-
cation of free
ports, to be
enjoyed by
the *British*
subjects; —

presly mentioned and contained in this present instrument, for the full and perfect advantage of his *Britannick* majesty's subjects, in all dispositions and intentions: and all immunities, privileges or advantages, which hereafter shall be granted to any other kingdom or state whatever, all and every one of those privileges, immunities, and advantages, are and shall be as fully, and in all their circumstances, allowed to the subjects of his majesty, as if they had been expressly granted by this instrument.

Also all immunities, which hereafter shall be granted to any other state.

TURKY.



T R E A T Y

W I T H

T U R K Y.



Treaty of commerce between *Great Britain* CHARLES II.
MAHOMET IV. and *Turky*, or rather a grant and confir- 1675.
mation of privileges, made by the *Sultan*
to the *English* nation, wherein the antient
conventions, made in the reigns of queen
Elizabeth, king *James*, and king *Charles*
the first, are recited and confirmed, dated
at *Adrianople*, in September 1675.

Article I.



H A T the *English* nation and the Free naviga-
tion and traf-
fick for the
English, and
all merchants
under their
protection.
English merchants, and all other nati-
ons or merchants, who are or shall
come under the colours and protection
of *England*, with their ships great and
small, merchandise, effects, and all their other goods,

shall at all times sail securely in our seas, and go and come with all manner of safety and freedom, in all places within the limits of our imperial dominions, in such manner, that no person whatever of that nation, nor his goods or effects, shall receive any molestation or impediment from any person whatever.

Article IV.

Free ingreſs
and egreſs
for all *Eng-
liſh* ſhips.

All *Engliſh* ſhips or veſſels, great or ſmall, may at all times come and enter into any port or harbour whatever of our dominions, and depart from thence, when they pleaſe, without being delayed or hindered by any perſon whatever.

Article V.

Engliſh ſhips,
in diſtreſs,
to be aſſiſted
and ſupplied.

That, if any accident happens to any *Engliſh* ſhips, great or ſmall, from the danger of the ſea, or any other neceſſity, all ſhips, as well imperial as thoſe belonging to private perſons, which ſhall happen to be near ſuch ſhips in diſtreſs, and all other ſhips, which ſhall be failing upon the ſeas, and be near enough to ſuccour them, ſhall be obliged to give them aid and aſſiſtance; and, when they ſhall be entered into our ports or harbours, they may ſtay there as long as they pleaſe; buy all manner of proviſions and other neceſſaries; and take in freſh water, without any trouble or hinderance from any perſon whatever.

Article

Article XVII.

Our galleys, ships, or other vessels of our empire, *English ships* which shall meet with any *English* ships at sea, shall not do, or give, nor suffer the least injury or molestation to be done or given to them; nor stop them, or take or demand any thing from them, but shall salute them; and they shall shew good and mutual friendship to one another, without any offense.

English ships not to be molested, but to be saluted, and treated kindly.
Mutual friendship.

Article XVIII.

All the particular privileges and stipulations, which have in time past been granted to the *French*, the *Venetians*, or any other *Christian* nation whatever, whose king was in peace and friendship with the *Porte*, are hereby given and granted in the same manner to the *English* nation, to the end, that the tenor of our present imperial treaty may at all times hereafter be observed by all manner of persons, and that no person may in any manner pretend, under any colour whatever, to contravene or violate the same.

English to enjoy all privileges, granted by the Porte to any other Christian nation.

Article XXII.

The *English* nation, and all, who come under the colours of *England*, with their ships great or small, may sail, traffick, buy, sell, and live in all places of our dominions; and, excepting fire-arms, gun-powder, and other such like merchandise, may put on board and carry away in their ships such of our merchandises, as they please, without any trouble

English, and all under English protection, may export from Turkey all merchandise, except fire-arms, gun-powder, and the like.

OR

or hinderance from any person whatever ; and their ships and vessels may freely come into, and securely cast anchor, and trade at all times, in all places of our dominions, and there buy provisions, and all other things for their money, without any contradiction or hinderance of any person whatever.

Article XXXVI.

English to trade freely to Muscovy, through Russia, and from thence to Turkey —

to trade also in Persia, and return freely through any part of the conquered country.

The *English* merchants, and all others, who shall be under the colours of *England*, may, with all manner of security trade, sell, and buy throughout all our dominions all sorts of merchandise, those only excepted, which are prohibited ; and they may likewise go and trade to *Muscovy* by sea or land, or by the way of the river *Tanais*, or *Don*, or through *Russia*, and may bring their merchandise from thence into our empire : and in like manner they may go to trade in *Persia*, and return through any part thereof, which we have conquered, and the confines of the same, without any hinderance or molestation from our officers ; and they shall pay the customs and other duties of that country, and nothing more.

Article XXXVII.

Free trade to Aleppo, Cairo, &c. paying the antient customs.

The *English* merchants, and all others, who shall be under the colours of *England*, may freely and safely traffick and trade in *Aleppo*, *Cairo*, *Scio*, *Smyrna*, and in all places of our dominions, paying according to antient custom three *per cent.* for all their merchandises, and no more.

Article

Article XXXVIII.

In case that the *English* ships, which come to our city of *Constantinople*, are forced by dangers at sea, or by bad weather, to put in at *Cassa*, or such other port, so long as the *English* continue on board without selling their commodities and merchandise, no person shall do them any violence, nor give them any trouble or hinderance; but in all places, where there is danger, the *Cadees* and our other ministers shall always defend and protect the said *English* ships, their men and goods, lest they receive any damage.

English ships
forced into
Cassa, and
such ports, to
be protected.

Article XLVIII.

Forasmuch as it is notorious, that certain pirates of *Tunis* and *Algiers*, in breach of our imperial capitulations, and contrary to our will and intention, do take and carry off, by sea, the ships, merchandise and men, who are the subjects of the king of *England*, and of other kings and states in alliance with our imperial *Porte*, to the great damage and prejudice of the said *English* nation; for these causes we command, and do by these presents injoin, that mandates be issued and dispatched for the intire and perfect restitution of all goods and merchandise so taken from the *English* nation; and that all the *English*, who have been taken and made slaves, or imprisoned by the said pirates, be forthwith set at liberty; and, if, after the day of the date of our present imperial capitulations, the said pirates of *Tunis* and *Algiers*

Goods and
persons of
the *English*,
taken by the
pirates of *Tu-*
nis and *Algi-*
ers, to be re-
stored and set
at liberty —

such pirates, continuing their robberies, to be prosecuted and punished.

Algiers shall continue to commit any robberies or other outrages upon them, and will not restore their goods and men, we forbid the said pirates to be received into any port of our dominions, and particularly into the harbours of *Tunis*, *Algiers*, *Modon*, or *Coron*; and we do expressly forbid our *Beglerbeys*, and other ministers, to permit them to enter therein, or to suffer them to be there received or entertained; but on the contrary we command the said *Beglerbeys*, *Cadees*, and other ministers, to prosecute, banish, and punish them.

Article LIV.

Free importation of all goods into *Turky*; and free exportation of all goods, not contraband, out of *Turky*.

The *English* merchants may freely come to all the ports of our dominions to trade, and import woollen cloth, kerseys, spices, pewter, lead, and all other merchandises; and no one shall give them any trouble or hinderance: they may also buy and export all sorts of merchandises, except what are prohibited, without hinderance or molestation; and, after having paid the customs conformably to the present imperial capitulation and antient usage, the commissioners of the customs and other officers shall demand nothing more.

Article LIX.

Turkish ships of war, and those of *Algiers*, *Tunis*, &c. not to molest or search any *English* vessels at sea.

The galleys and other ships of the imperial navy, sailing from the dominions of the *Grand Signior*, and meeting any *English* ships at sea, shall not molest or retard them in their voyage, nor take any thing whatever from them, but they shall always shew right good friendship towards each other, without doing each

each other the least damage; and, this being accordingly declared in the imperial capitulations, the *Beys* and captains sailing upon the high seas, and those of *Algiers*, *Tunis*, and *Tripoli*, meeting with *English* ships sailing from one port to another, shall not take away any of their money or goods, on pretense, that they have goods of the enemy on board, nor search them on that account, nor molest or retard them in their voyage; so that their goods shall only be examined at the enterance of forts, and in the harbours, where the searchers, belonging to the customs, are used to go on board; and, when they are out at sea, they shall not be liable to any farther search or inquiry.



T R E A T I E S

WITH

M O R O C C O.



GEORGE I.
MULI ISMAEL.
1721.

Treaty of peace between *George I.* king of
Great Britain and *Muli Ismael*, emperor
of *Morocco*, concluded at *Fez*, January
23, 1721.

Article I.

English to be
well used and
respected.



IN order to establish peace between the
two powers, both by land and sea,
and all their respective dominions, it
is agreed, that the *English* may now,
and always hereafter, be well used
and respected by our subjects.

Article

Article II.

That all *English* ships of war and merchant-ships, which shall come to any port of the emperor's dominions, to trade or otherwise, and shall have on board a cargo, not proper for vending in the place, where they shall come, may depart with the same to any other port of the emperor's dominions, and shall pay duty but once for the same; and that no duty at all shall be paid for any implements of war, such as fire-arms, swords, and any thing belonging to the army; as also for materials of all kinds for ship-building: and, if any *English* ship shall arrive at any of the emperor's ports, with any merchandise destined for any other part of the world, that no duty shall be paid for such merchandise, but such ship shall depart with the same without any manner of molestation. If any *English* ships shall be thrown upon the emperor's coasts by stress of weather, or otherwise, the same shall be protected, and may safely depart without any ill usage or interruption: in like manner shall be treated the emperor's ships, happening to be thus thrown on the coast of *Great Britain*, or the dominions thereto belonging.

English ships to have free ingress and egress to and from the emperor's ports.

No duty to be paid for implements of war, &c.

Ships of either party in distress to be protected.

Article III.

That all the *English* ships, and emperor's ships, may pass and repass the seas without hinderance, interruption, or molestation from each other; nor shall any money, merchandise, or any demand be

Ships of one party to give no interruption to the ships of the other.

Foreigners
on board
such ships to
be protected.

made or taken by the ships of either power from each other ; and, if any subjects of any other nation shall be on board either the *English* or the emperor's ships, they shall be safely protected by both sides.

Article IV.

Passports to
be inspected
by two per-
sons of fide-
lity.

What pass-
ports shall be
valid.

If the emperor's ships of war meet with any *English* ships, and shall want to see their passports, they are to send a boat with two men of fidelity to peruse the said passports, who are to return without any farther trouble, and then both sides are to proceed quietly on their respective voyages ; the same usage shall be received by the emperor's merchant-ships from the *English* ships of war, who shall allow the passports made out by the *English* consul ; and, if the consul shall not be present to make them, then the passports, made out by the *English* merchants, shall be good and valid.

Article V.

English al-
lowed to sell
their prizes
in the empe-
ror's domini-
ons.

If the *English* ships of war, privateers, or letter of marque ships, shall take prizes from any nation, with whom they shall be at war, they shall have liberty to bring and dispose of the same in any of the emperor's dominions, without any duty or charge whatever.

Article VI.

English ships
driven by
storm, or fly-
ing from an

If any *English* ship shall by storm, or in flying from her enemy, come upon the emperor's coasts, the same shall be safely protected, and nothing touch-
ed

ed or taken away, but shall be under the direction of the *English* consul, who shall send the goods and people, where he shall think fit. enemy, to be protected on the emperor's coasts.

Article VIII.

That no *English* merchants, captains of ships, or other person or persons whatever, who are *English* subjects, shall be forced to sell any of their goods for less than the real value; and that no captain, master or commander of any *English* ship, shall be compelled to carry any goods or merchandises for any person or persons whatever; nor shall any sailor be forced away from any *English* ship. *English* subjects not to be compelled to sell their goods, under value — or to carry goods for others.

Article X.

If it shall happen, that this peace by any means shall be broken, the consul, and all other *English* subjects, shall have six months time to remove themselves with their families and effects to any place they please, without interruption; and all debts, owing to them, shall be justly paid to them. Six months for removal in case of war.

Article XIII.

That not any of the *Spanish*, whether captains, failors, or other persons under the *English* government in *Gibraltar* or *Port-Mahon*, shall be taken or molested, sailing under *English* colours with pass-ports. *Spaniards* of *Gibraltar*, or *Port-mahon*, to sail freely under *English* colours.

Article

Article XV.

English ships, meeting the ships of war of an enemy on the Morocco coasts, such ships shall not sail till 40 hours after the English.

If any ships of war shall be on the emperor's coasts, which are enemies to the *English*, and any *English* ships of war, or other *English* ships, shall happen to be or arrive there also, they shall not in any manner be hurt or engaged by their enemy; and, when such *English* ships shall sail, their enemies ships shall not set sail under forty hours afterwards.

GEORGE II.
1727-8.

Articles of peace and commerce between George II. king of *Great Britain* and the emperor of *Morocco*, concluded at *Mequinez*, January 14, 1727-8.

Article I.

Moors or Jews allowed a free traffick at Gibraltar, and Minorca.

THAT all *Moors* or *Jews*, subject to the emperor of *Morocco*, shall be allowed a free traffick, viz. to buy or sell for thirty days in the city of *Gibraltar*, or island of *Minorca*, and not to reside in either place, but to depart with their effects, without lett or molestation, to any part of the said emperor of *Morocco's* dominions.

Article

Article IV.

That all his *Britannick* majesty's subjects, as well *British* sub-
passengers as others, taken by any of the emperor of
Fez and *Morocco*'s cruizers, on board any foreign ship jects, taken
on board fo-
reign ships,
to be sent to
Gibraltar.
or vessel whatever, shall immediately be set at liberty
and sent to the city of *Gibraltar*.

Article V.

That there be permission for buying provisions and Provisions for
the *British*
fleet, or *Gi-
braltar*, to be
sold at the
emperor's
ports, and
shipped with-
out paying
customs.
all other necessaries for his *Britannick* majesty's fleet,
or for the city of *Gibraltar*, at any of the emperor
of *Fez* and *Morocco*'s sea-ports at the market prices;
and that the same may be shipped off without paying
customs, which have been extorted lately, contrary
to the treaty of peace subsisting.

Treaty of peace between *George II.* king GEORGE II.
of *Great Britain* and the emperor of 1734.
Morocco, concluded December 15, 1734.

Article II.

IF any of the emperor's subjects shall be made Subjects of
either party
to be protect-
ed by the
other.
slaves, and escape to an *English* ship of war, or
to *Gibraltar*, *Port-Mahon*, or any of the *English* do-
minions,

minions, they shall be protected, and with all convenient speed sent to their respective homes : the like treatment is to be given to the *English*, who shall be slaves, and escape to any part of the emperor's dominions.

GEORGE II. Treaty of peace and friendship, between
1750-51. *George II. king of Great Britain* and the emperor of *Morocco*, concluded at *Fex*, January 15, 1750-51.

Article I.

Peace and
friendship.

FOR establishing peace and friendship, it is agreed and concluded for firm and valid, both by land and sea in all the dominions of both powers, that the *English* in general shall and may now, and at all times hereafter, enjoy and continue in peace and friendship with the emperor and his subjects, and be well used and respected by the emperor's subjects, agreeably to the order and commands of the emperor.

Article II.

Rules con-
cerning pass-
ports.

That such a number or quantity of passports, as may be necessary, be transmitted to the emperor, indented in such manner as shall tally with the passports,

ports, which shall be received by the *English* merchants in *England*; and, if an *English* ship of war ^{Passports to be shewed.} meets with any merchant-ships belonging to the emperor, such merchant-ships shall be obliged to produce and shew their passports given to them by the *English* consul.

Article V.

The fifteen articles of peace, made and concluded ^{Treaty of} between king *George* the first and *Muli Ismael*, are ^{1721 confirmed.} hereby agreed to, and confirmed with his majesty king *George* the second, as good and valid, and shall be faithfully kept and observed.



T R E A T I E S

WITH

A L G I E R S.



WILLIAM
III.
1698.

Articles of peace and commerce between
Great Britain and *Algiers*, concluded at
Algiers, June 28, 1698.

*The several treaties of peace and commerce, concluded
with the Algerines in the years 1662, 1664,
1672, 1682, 1686, and 1691, are all compre-
hended in this treaty.*

Article I.

Peace re-
newed and
confirmed.



It is agreed and concluded, that from
this day, and for ever forward, peace
be renewed and confirmed, and invi-
olably kept, between the most serene
king of *Great Britain*, and the most
illustrious lords, the *Bashaw*, *Aga*, and governors of
the

the city and kingdom of *Algiers*, and between all the dominions and subjects of either side; and that the ships and other vessels, and the subjects and people of both sides, shall not henceforth do to each other any harm, offense, or injury, either in word or deed, but shall treat one another with all possible respect and friendship.

Article II.

That any of the ships or other vessels, belonging to the said king of *Great Britain*, or to any of his majesty's subjects, may safely come to the port of *Algiers*, or to any other port or place of that kingdom, there freely to buy and sell, paying the usual customs for such goods as they sell; and the goods, which they sell not, they shall freely carry on board, without paying any duties for the same; and that they shall freely depart from thence whenever they please, without any stop or hinderance whatever. As to contraband merchandises, as powder, iron, brimstone, plank, and all sorts of timber fit for building ships, ropes, pitch, tar, fuses, and other habilitments of war, his said majesty's subjects shall pay no duty for the same to those of *Algiers*.

British subjects to trade freely at *Algiers*, paying the usual customs.

No duty to be paid at *Algiers* for powder, iron, timber, &c.

Article III.

That all ships and other vessels, as well those belonging to the king of *Great Britain*, or to any of his majesty's subjects, as those belonging to the kingdom or people of *Algiers*, shall freely pass the seas,

Free passage and commerce for all ships of both nations.

Passengers on board the ships of either party to be free. and traffick without any search, hinderance, or molestation from each other; and that all persons or passengers, of what country soever, and all moneys, goods, merchandises and moveables, to whatever people or nation belonging, being on board any of the said ships or vessels, shall be wholly free, and shall not be stopped, taken, or plundered, nor receive any harm or damage whatever from either party.

Article IV.

All ships on both sides to pass freely, if they produce passes, and certificates.

That the *Algier* ships of war, or other vessels, meeting with any merchant-ships or vessels of his said majesty's subjects, not being in the seas appertaining to his majesty's dominions, may send on board one single boat with two fitters only, besides the ordinary crew of rowers; and that no more shall enter any such merchant-ship or vessel, without express leave from the commander thereof, but the two fitters alone; and that, upon producing a pass under the hand and seal of his majesty, or whomsoever he shall appoint to be lord high admiral, or to execute the office of lord high admiral for *England* and *Ireland*, or of the lord high admiral of *Scotland*, for the said kingdoms respectively, the said boat shall presently depart, and the merchant-ship or vessel shall proceed freely on her voyage: and any of the ships of war or other vessels of his said majesty meeting with any ships or other vessels of *Algiers*, if the commander of any such *Algier* ship or vessel shall produce a pass, signed by the chief governors of *Algiers*,

Algiers, and a certificate from the *English* consul residing there, the said *Algier* ship or vessel shall freely proceed on her voyage.

Article V.

That no commander, or other person, of any ship or vessel of *Algiers* shall take, out of any ship or vessel of his said majesty's subjects, any person or persons whatever, to carry them any where to be examined, or upon any other pretense; nor shall they use any torture or violence to any person of what nation or quality so ever, being on board any ship or vessel of his majesty's subjects, upon any pretense whatever.

Algerines not to force any person out of an English ship, or use torture, on any pretext whatever.

Article VI.

That no shipwreck, belonging to the said king of *Great Britain*, or to any of his majesty's subjects, upon any part of the coast belonging to *Algiers*, shall be made or become prize; and that neither the goods thereof shall be seized, nor the men made slaves; but that all the subjects of *Algiers* shall do their best endeavours to save the said men and their goods.

Subjects of Great Britain to be assisted in case of shipwreck.

Article VII.

That no ships, nor any other vessels of *Algiers*, shall have permission to be delivered up, or go to *Sallee*, or to any other place at enmity with the king of *Great Britain*, to be made use of as corsairs or sea-rovers against his said majesty's subjects.

Algerine ships not to be carried to Sal-lee, or elsewhere, to be used against Great Britain.

Article

Article VIII.

Algerine ships
not to cruize
near his ma-
jesty's roads,
&c.

That none of the ships, or other small vessels of *Algiers*, shall remain cruizing near or in sight of any of his majesty's roads, havens or ports, towns and places, nor any way disturb the peace and commerce of the same.

Article IX.

English ships,
men, or goods,
brought into
Algiers, not
to be sold
there.

That, if any ship or vessel of *Tunis*, *Tripoli*, or *Sallee*, or of any other place, bring any ships, vessels, men or goods, belonging to any of his said majesty's subjects, to *Algiers*, or to any other port or place in that kingdom, the governors there shall not permit them to be sold within the territories of *Algiers*.

Article X.

English ships
of war may
sell their pri-
zes at *Algiers*,
and buy all
necessaries
there, with-
out paying
the customs.

That, if any of the ships of war of the said king of *Great Britain* do come to *Algiers*, or to any other port or place of that kingdom, with any prize, they may freely sell it, or otherwise dispose of it at their own pleasure, without being molested by any; and that his majesty's said ships of war shall not be obliged to pay customs in any sort; and that, if they shall want provisions, victuals, or any other things, they may freely buy them at the rates in the market.

Article XI.

English cap-
tives, escap-
ing from *Al-*
giers on board

That, when any of his said majesty's ships of war shall appear before *Algiers*, upon notice thereof given by the *English* consul, or by the commander of the said

faid ships, to the chief governors of *Algiers*, publick proclamation shall be immediately made to secure the *Christian* captives; and if, after that, any *Christians* whatever make their escape on board any of the said ships of war, they shall not be required back again, nor shall the said consul or commander, or any other of his majesty's subjects, be obliged to pay any thing for the said *Christians*.

English ships of war, not to be demanded after the public proclamation.

Article XII.

That hence forward no subjects of his majesty of *Great Britain* shall be bought or sold, or made slaves, in any part of the kingdom of *Algiers*, upon any pretense whatever.

Subjects of the king of England not to be bought or sold at Algiers.

Article XIX.

That no subject of his said majesty, being a passenger, and coming or going with his baggage from or to any port, shall be any way molested or meddled with, although he be on board any ship or vessel in enmity with *Algiers*. And, in like manner, no *Algerine* passenger, being on board any ship or vessel in enmity with the said king of *Great Britain*, shall be any way molested, either in his person or in his goods, which he may have laden on board the said ship or vessel.

Passengers, being subjects of either party, not to be molested in their persons or goods, tho' on board the ships of enemies.

Article XX.

That at all times, when any ship of war of the king of *Great Britain*, carrying his said majesty's flag at the main-top-mast head, shall appear before *Al-*

English ships of war, anchoring before Algiers,

giers,

to be saluted by a discharge of 21 cannon, and to return the salute with the same number.

giers, and come to an anchor in the road, immediately after notice thereof given by his said majesty's consul, or officer from the ship, unto the *Dey* and government of *Algiers*, they shall, in honour to his majesty, cause a salute of one and twenty cannon to be shot off from the castles and forts of the city, and that the said ship shall return the salute by firing the same number of cannon.

Article XXI.

Peace perpetual.

This peace shall be in full force and virtue, and continue for ever.

Article XXII.

The misbehavior of the subjects of either party not to interrupt this peace.

That, in case it shall happen hereafter, that any thing is done or committed contrary to this treaty, whether by the subjects of the one or the other party, the treaty notwithstanding shall subsist in full force, and such contraventions shall not occasion the breach of this peace, friendship, and good correspondence; but the party injured shall amicably demand immediate satisfaction for the said contraventions, before it is lawful to break the peace; and, if the fault was committed by any private subjects of either party, they alone shall be punished as breakers of the peace, and disturbers of the publick quiet: and our faith shall be our faith, and our word our word.

Offenders to be punished.

Form

Form of the pass, published by authority
in 1682.

PErmit the ship to pass with her company, passengers, goods and merchandises, without any lett, hinderance, seizure or molestation, the said ship appearing unto me, [or us,] by good testimony, to belong to the subjects of our sovereign lord the king, and to no foreigners. Given under my hand [or our hands] and the seal of my [or our] office of admiral, at on the day of in the year of our lord one thousand hundred and

By command of

To all persons, whom
these may concern.

Peace confirmed, and additional articles made WILLIAM III.
between *Great Britain* and *Algiers*, Au- 1700.
gust 17, 1700.

Article I.

WE the *Dey*, *Bashaw*, and *Aga*, governors of the city and kingdom of *Algiers*, do by these presents renew and confirm the peace, which we so happily enjoy, with the king of *Great Britain* and his subjects, made in the year 1682, in every part and Peace renewed and confirmed according to the treaty of 1682.
M m article,

article, more particularly that of the 8th, wherein it is expressed, that no ship or vessel, belonging to our government of *Algiers*, shall cruize near or in sight of any of the roads, havens or ports, towns or places, belonging to the said king of *Great Britain*, or any way disturb the peace and commerce of the same: and, in compliance with the * 8th article of that treaty, we do sincerely promise and declare, that such orders shall for the future be given to all our commanders, that under a severe penalty, and our utmost displeasure, they shall not enter into the channel of *England*, nor come or cruize, in sight of any part of his majesty of *Great Britain's* dominions, any more for the time to come.

Algerine ships not to cruize in sight of the roads or ports of the king of Great Britain.

* The 8th article of the treaty of 1682, here referred to, is word for word the same as the 8th article of the preceding treaty of 1698.

Article II.

After the last day of *September* 1701, if any ship of *England* is seized, not having a pass, the goods on board a *British* ship, not having a pass, in that ship shall be prize, but the master, men, and ship shall be restored, and the freight immediately paid to the said master, to the utmost value, which he should have had, if he had gone safe to the port, whither he was bound:

Goods, on board a British ship, not having a pass, to be prize.

Article III.

We do hereby promise, that at all times, whenever any of the ships of war of the king of *Great Britain*

An Algerine officer to attend at the

Britain come to this place, order shall be given to an officer of the government immediately, who shall attend at the *Mole* all the day time, during their stay here, to prevent any disorders for the future, that no misunderstanding may happen between us: and, if any disorder should happen, the officer of the *Mole* shall secure the person or persons, and they shall be punished with the utmost severity.

Mole, on the arrival of any *British* ship of war.

ON September 4, 1702, a treaty of one article was made between Great Britain and Algiers, by which it was agreed, that "all former treaties should be renewed, and inviolably maintained, as in the time of former reigns."

ANNE.

1702.

Articles of peace and commerce between Great Britain and Algiers, concluded at Algiers, October 28, 1703.

ANNE.

1703.

Article I.

IT is agreed and concluded, that from this day, and for ever forward, the peace made in the year 1682, and since confirmed in the year 1686, with the additional articles agreed to in the year 1700, be renewed and confirmed; and, with the farther addi-

Peace renewed and confirmed.

M m 2

tion

tion of the articles agreed to in this treaty with *George Byng*, Esq; rear admiral of the red squadron of her majesty's fleet, be kept inviolably between the queen of *Great Britain*, and the *Dey*, *Bashaw*, *Aga*, and governors of the city and kingdom of *Algiers*, and between all the dominions and subjects of either side.

Article III.

Prizes, and ships, fitted out in her majesty's *American* plantations, not to be stopped for want of a pass, if they have proper certificates.

All prizes taken by any of her majesty of *Great Britain*'s subjects, and all ships and vessels built and fitted out in any of her majesty's plantations in *America*, and which have not been in *England*, shall not be molested in case of no pass; but a certificate in writing, under the hand of the commanding officer, who shall so take prizes, and a certificate under the hands of the governor or chief of any of her majesty's plantations in *America*, or where any ship shall be built or fitted, shall be a sufficient pass: and our faith shall be our faith, and our word our word.

*S*ubsequent to this treaty, and prior to that of 1716, there are four treaties, each consisting but of one article, made with the Algerines, in the years 1705, 1706, 1709, and 1710, which contain nothing more, than confirmations of peace; and were only occasioned by the change or death of the Deys.

Articles of peace and commerce between GEORGE I.
Great Britain and *Algiers*, concluded at 1716.
Algiers, October 29, 1716.

Article I.

IT is agreed and concluded, that from this day, Former treaties of peace confirmed.
 and for ever forward, the peace made by *Arthur Herbert*, Esq; [in 1682] then admiral of his majesty's fleet, and Sir *William Soams*, Bart. ambassador to the *Grand Signior* in the year 1686, with the additional articles agreed to with captain *Munden* and consul *Cole*, in the year 1700, and likewise the farther additional articles agreed to with *George Byng*, Esq; then rear admiral of the red squadron of her majesty's fleet, in the year 1703, be renewed and confirmed; and, together with the additional articles agreed to in this treaty with captain *Norbury*, captain *Eaton*, and *Thomas Thompson*, Esq; his majesty's consul at *Algiers*, be kept inviolably between the king of *Great Britain* and the *Dey* and governor of *Algiers* in the west, the *Aga*, *Kabya*, and the rest of the *Divan*, and between all the dominions and subjects of either side; and that the ships and other vessels, and the subjects and people of either side, shall not henceforth No injury to be done on either side for the future.
 do to each other any harm, offense, or injury, either in word or deed, but shall treat one another with all possible respect and friendship.

Article

Article II.

Minorca and Gibraltar to be deemed part of the king of England's dominions —

and the inhabitants to be permitted to trade freely in the dominions of Algiers.

Ships of Algiers not to cruize within sight of Minorca or Gibraltar.

That, from this time forward for ever, the island of *Minorca*, and city of *Gibraltar*, shall be esteemed in every respect, by the government and people of *Algiers*, to be part of his *Britannick* majesty's dominions; and the inhabitants thereof shall be looked upon as his majesty's natural subjects, in the same manner as if they had been born in any other part of *Great Britain*; and they, with their ships and vessels, wearing *British* colours, and being furnished with proper passes, shall be permitted freely to trade and traffick in any part of the dominions of *Algiers*, and shall pass without any molestation whatever; and shall have the same liberties and privileges, which are stipulated in this, and have been made in all other treaties on the behalf of the *British* nation and subjects; and therefore none of the cruizers of *Algiers* shall at any time cruize within sight of the ports of the said island of *Minorca*, and city of *Gibraltar*.

Article III.

Passengers and goods of Algiers, on board an English ship, not to be delivered up to their enemies.

That, if an *English* ship shall receive on board any passengers and goods belonging to the kingdom of *Algiers*, the *English* shall defend them and their goods, so far as lieth in their power, and not deliver them to their enemies. And the better to prevent any unjust demands being made upon the crown of *Great Britain*, and to avoid disputes and differences, which may arise, all goods and merchandises, which shall from henceforward be shipped by the subjects of

of *Algiers* on board the ships or vessels of *Great Britain* upon freight, shall be first registered in the office of *Cancellaria* before the *British* consul residing in the port, where they are so shipped; and the quantity, quality, and value thereof shall be expressed; and the consul is to manifest the same in the clearance given to the ship or vessel, before she shall depart; to the end that, if any cause of complaint should happen hereafter, there may be no greater claim made on the *English* nation, than what, by this method, may be proved just and equitable.

Article IV.

That, if any of the *Algerine* cruizers shall meet *British* ships, with any *British* ships provided with scollop passes of either ships or sattees, which shall fit with those delivered to them by the *British* consul, they shall pass free and unmolested.

British ships, having passes, not to be molested.

*I*N the years 1718 and 172 $\frac{3}{4}$, two other treaties were made with *Algiers*; but, as they contain nothing more than general confirmations of peace, it was not thought necessary to insert them.

GEORGE II.
1729.

Treaty between Great Britain and Algiers,
concluded at *Algiers*, March 18, 1729.

Former treaties of peace confirmed.

IT is agreed and concluded, that, from this day and for ever forward, the peace made by *Arthur Herbert*, Esq; [*in the year 1682*] then admiral of his majesty's fleet; and Sir *William Soames*, Bart. ambassador to the *Grand Signior* in the year 1686; with the additional articles agreed to with captain *Munden* and consul *Cole* in the year 1700; and likewise the farther additional articles agreed to with *George Byng*, Esq; rear admiral of the red squadron of his majesty's fleet in the year 1703; together with the additional articles agreed to with captain *Norbury*, captain *Eaton*, and *Thomas Thompson*, Esq; his majesty's consul at *Algiers* in the year 1716, be renewed and confirmed in this treaty with *Philip Cavendish*, Esq; rear admiral of the red squadron of his majesty's fleet, and be kept inviolable between the most serene king of *Great Britain* and the most illustrious lord, the *Dey*, *Bashaw* and governor of the city and kingdom of *Algiers*, and between all the dominions and subjects on either side; and that the ships and other vessels and subjects and people of either side shall not henceforth do to each other any harm, offense, or injury, either in word or deed, but shall treat one another with all possible respect and friendship.

Additional

Additional article to the antient treaties, GEORGE II.
 subsisting between *Great Britain* and 1751.
Algiers, agreed to at *Algiers*, June 3,
 1751, by the *Dey*, *Mahomet*, and his
Britannick majesty's plenipotentiaries, the
 honourable *Augustus Keppel*, and *Ambrose*
Stanyford, Esq;

THAT all packets or exprefs-boats, bearing his Packets and
exprefs boats,
bearing his
Britannick
majesty's
commission,
to be treated
with the same
respect as
ships of war.
Britannick majesty's commission, which shall
 be met by any of the cruizers of *Algiers*, shall be
 treated with the same respect as his majesty's ships of
 war, and all due respect shall be paid to his majesty's
 commission; and, both at meeting and parting, they
 shall be treated as friends. And, if any of the *Al-*
gerine cruizers commit the least fault or violence
 against them, the captains or raizes so offending
 shall, on their arrival at *Algiers*, and proper com-
 plaint being made of them, be most severely punish-
 ed, without admitting their excuses.



T R E A T Y

WITH

T R I P O L I.



GEORGE II. Treaty of peace and commerce between
1751. *Great Britain and Tripoli, concluded at
Tripoli, September 19, 1751.*

*The treaties of peace and commerce between Great
Britain and Tripoli, concluded in the years 1662,
1676, 1686-7, and 1716, are comprehended in
this treaty.*

Article I.

Perpetual
peace.



IN the first place it is agreed and con-
cluded, that from this time forward,
for ever, there shall be a true and
inviolable peace, between the most
serene king of *Great Britain*, and the
most illustrious lords and governors of the city and
kingdom

kingdom of *Tripoli* in *Barbary*; and between all the dominions and subjects of either side; and, if the ships and subjects of either party shall happen to meet upon the seas or elsewhere, they shall not molest each other, but shall shew all possible respect and friendship.

Article III.

That all ships and other vessels, as well those belonging to the king of *Great Britain*, or to any of his majesty's subjects, as those belonging to the kingdom or people of *Tripoli*, shall freely pass the sea, and traffick where they please, without any search, hinderance or molestation from each other; and that all persons or passengers, of what country so ever, and all moneys, goods, merchandises and moveables, to whatsoever people or nation belonging, being on board of any the said ships or vessels, shall be wholly free, and shall not be stopped, taken or plundered, or receive any harm or damage whatsoever from either party.

Ships of either party to traffick where they please —

and all persons and goods, on board such ships, to be free.

Article IV.

That the *Tripoli* ships of war, or any other vessels thereunto belonging, meeting with any merchant-ships or other vessels of the king of *Great Britain*'s subjects (not being in any of the seas appertaining to any of his majesty's dominions) may send on board one single boat with two fitters, besides the ordinary crew of rowers; and no more but the two fitters

All ships, on both sides, to pass freely, if they produce proper passes, or if the major part of the crew consists of the subjects

of Great Bri-
tain, or Tri-
poli.

shall enter any of the said merchant-ships, or any other vessels, without the express leave of the commander of every such ship or vessel; and then, upon producing to them a pass under the hand and seal of the lord high admiral of *England*, the said boat shall presently depart, and the merchant-ship or ships, vessel or vessels, shall proceed freely on her or their voyage: and although the commander or commanders of the said merchant-ship or ships, vessel or vessels, produce no pass from the lord high admiral of *England*, yet, if the major part of the ship's or vessel's company are subjects to the said king of *Great Britain*, the said boat shall presently depart, and the merchant-ship or ships, vessel or vessels, shall proceed freely on her or their voyage: and any of the said ships of war, or other vessels of his said majesty, meeting with any ship or ships, vessel or vessels, belonging to *Tripoli*, if the commander or commanders of any such ship or ships, vessel or vessels, shall produce a pass, signed by the chief governors of *Tripoli*, and a certificate from the *English* consul living there; or if they have no such pass or certificate, yet if the major part of their ship's company or companies are *Turks*, *Moors*, or slaves belonging to *Tripoli*, then the said *Tripoli* ship or ships, vessel or vessels, shall proceed freely.

Article V.

No person,
on any pre-
tense, to be

That no commander or other person of any ship or vessel of *Tripoli* shall take out of any ship or vessel

fel of his said majesty's subjects any person or persons forced out of an English ship, or tortured, by the subjects of Tripoli. whatever, to carry them any where to be examined, or upon any other pretense; nor shall use any torture or violence unto any person of what nation or quality soever, being on board any ship or vessel of his majesty's subjects, upon any pretense whatever.

Article VI.

That no shipwreck belonging to the said king of *Great Britain*, or to any of his majesty's subjects, upon any part of the coasts belonging to *Tripoli*, shall be made or become prize; and that neither the goods thereof shall be seized, nor the men made slaves, but that all the subjects of *Tripoli* shall do their best endeavours to save the said men and their goods. Ships, wrecked on the coast of Tripoli, not to become prize, or be plundered, but to be assisted.

Article VII.

That no ships, or any other vessels of *Tripoli*, shall have permission to be delivered up, or to go to any other place in enmity with the said king of *Great Britain*, to be made use of as corsairs at sea against his said majesty's subjects. No ships of Tripoli to be delivered to an enemy of Great Britain to act as corsairs.

Article VIII.

That, if any ship or vessel of *Tunis*, *Algiers*, *Tetuan*, or *Sallee*, or any other place, being at war with the said king of *Great Britain*, bring any ships or vessels, men or goods, belonging to his said majesty's subjects, to *Tripoli*, or to any port or place in that kingdom, British ships, men, or goods, taken by an enemy, not to be sold at Tripoli.

dom, the governors there shall not permit them to be sold within the territories of *Tripoli*, like as it is agreed at *Algiers*.

Article XV.

Subjects of either party, on board the ship of an enemy of either, to be free.

That no subject of his said majesty, being a passenger from or to any port, shall be any way molested or meddled with, either in person or property, although on board any ship or vessel in enmity with *Tripoli*; and the same is to be regarded in favour of the subjects of *Tripoli*.

Article XVI.

Christian captives, escaping to *English* ships of war, after a public proclamation of their arrival, not to be demanded.

That, when any of his majesty's ships of war shall appear before *Tripoli*, upon notice thereof given by the *English* consul, or by the commander of the said ships, to the chief governors of *Tripoli*, publick proclamation shall be immediately made to secure the *Christian* captives; and, if after that any *Christians* whatever make their escape on board any of the said ships of war, they shall not be required back again, nor shall the said consul or commander, or any other his majesty's subjects, be obliged to pay any thing for the said *Christians*.

Article XVIII.

Forts of *Tripoli* to salute any *British* ship of war with 27 cannon.

That at all times, when any ship of war of the king of *Great Britain*, carrying his said majesty's flag, appears before the said city of *Tripoli*, and comes to an anchor in the road, immediately after notice given

given thereof by his said majesty's consul, or officer from the ship, unto the *Dey* and government of *Tripoli*, they shall, in honour to his majesty, cause a salute of twenty seven cannon to be fired from the castle and forts of the city; and that the said ship shall return an answer by firing the same number of cannon.

The salute to be returned with the same number.

Article XXI.

That, whereas the island of *Minorca* in the *Mediterranean* sea, and the city of *Gibraltar* in *Spain*, do now belong to his majesty the king of *Great Britain*, it is therefore hereby agreed, that from this time forward, for ever, the said island of *Minorca*, and city of *Gibraltar*, shall be esteemed in every respect, by the bashaw and government of *Tripoli*, to be part of his *Britannick* majesty's own dominions; and the inhabitants thereof shall be looked upon as his majesty's natural subjects, in the same manner as if they had been born in any part of *Great Britain*; and they, with their ships and vessels wearing *British* colours, and being furnished with *Mediterranean* passes, shall be permitted freely to trade and traffick in any part of the kingdom of *Tripoli*, or dominions thereunto belonging, and shall pass without any molestation whatever, either on the seas or elsewhere, in the same manner, and with the same freedom and privileges, as have been stipulated in this and all former treaties, on behalf of the *British* nation and subjects; and that none of the ships or vessels, belonging

Inhabitants of *Minorca* and *Gibraltar* to be regarded as *British* subjects, and enjoy all privileges of trade, &c. as such.

Ships of Tripoli not to cruize before Minorca and Gibraltar. ing to *Tripoli*, shall cruize or look for prizes before or in sight of the ports of the island of *Minorca*, and the city of *Gibraltar*, to disturb or molest the trade thereof in any manner whatever.

Article XXII.

British ships of war may sell their prizes in the ports of Tripoli, and buy provisions there, free of customs. That, if any of the ships of war of the said king of *Great Britain* come to *Tripoli*, or to any other port or place of that kingdom, with any prize, they may freely sell it, or otherwise dispose of it at their own pleasure, without being molested by any; and that his majesty's said ships of war shall not be obliged to pay customs in any sort; and that, if they shall want provisions, victuals, or any other things, they may freely buy them at the rates in the market.

Article XXIV.

British subjects to enjoy all privileges, granted to the most favoured nation. That his *Britannick* majesty's subjects, over and above the stipulations contained in this and all former treaties, shall enjoy all the privileges and advantages, which now are, or which hereafter may be granted to any of the subjects of the most favoured nation.

Article XXV.

No duty to be paid, on the importation of warlike stores, or provisions, into the dominions of Tripoli. That in case any of his said majesty's subjects shall import into the said kingdom of *Tripoli*, or into any of the ports and dominions, thereunto belonging, any warlike stores, as cannon, muskets, pistols, cannon-powder or fine powder, brimstone, bullets, iron, planks,

planks, and all sorts of timber fit for building ships; pitch, tar, resin, ropes, cables, masts, blocks, anchors, sails, and all other habiliments of war, as well by sea as by land; as also provisions, *viz.* wheat, barley, beans, oats, or the like, they shall not pay any sort of duty or custom whatever.

Article XXVI.

That new *Mediterranean* passes shall be issued out and given to his said majesty's trading subjects, with all convenient speed, and that the time for the continuance of the old passes for the ships in the *Indies*, and remote parts, shall be three years; and, for all other ships and vessels, one year; to commence from the delivery of the counter-tops of the new passes at *Algiers*; of which his majesty's consul here shall give the earliest notice to the bashaw and government; and it is hereby expressly agreed and declared, that the said new passes shall, during the above-mentioned spaces of time of three years and one year, be of full and sufficient force and effect to protect all ships and vessels of his said majesty's subjects, who shall be provided with the same.

Rules concerning passes.

Article XXVII.

That no merchant-ship belonging to *Great Britain*, or any other nation, under the protection of the *British* consul, being in the port of *Tripoli*, shall be detained from proceeding to sea on her voyage, longer than eight days, under the pretense of arming out the ships of war of the government, or any other whatever.

No ship, under the protection of the *British* consul, to be detained, in a port of *Tripoli*, longer than eight days, on any pretense.

Article XXVIII.

Gibraltar and Port-Mahon to be supplied with provision at the market prizes.

That, if at any time the garrisons of *Gibraltar* or *Port-Mahon* should be in want of provision, and should send for the same to *Tripoli*, or any part of the dominions thereof, they shall, if it is to be had, be supplied with it at the market-price.

Article XXIX.

Packets, having commissions from his *Britannick* majesty, to be treated with the same respect as ships of war.

That all packets, bearing his *Britannick* majesty's commission, which shall be met by any of the cruizers of *Tripoli*, shall be treated with the same respect as his majesty's ships of war, and all due respect shall be paid to his majesty's commission; and both at meeting and parting they shall be treated as friends; and, if any of the *Tripoli* cruizers commit the least fault or violence against them, the captains or raizes, so offending, shall on their arrival at *Tripoli*, and on proper complaint being made of them, be most severely punished, without admitting their excuses.

Article XXX.

Articles of this treaty to be inviolably observed.

That all and every the articles in this treaty shall be inviolably kept and observed between his most sacred majesty of *Great Britain*, and the most illustrious the bashaw, lords, and governors of the city and kingdom of *Tripoli*, and between the dominions and subjects of either side: and our faith shall be our faith, and our word our word.

T U N I S.



T R E A T Y

WITH

T U N I S.



Treaty of peace and commerce between GEORGE II.
Great Britain and Tunis, concluded at 1751.
Tunis, October 19, 1751.

*The several treaties of peace and commerce between
 Great Britain and Tunis, concluded and ratified
 in the years 1662, 1674-5, 1686, and 1716,
 are comprehended in this treaty.*

Article I.



THAT all former grievances and losses, Firm peace
and free com-
merce.
 and other pretences between both par-
 ties, shall be void and of no effect;
 and from henceforward there shall be
 a firm peace for ever, and free trade
 and commerce, between his *Britannick* majesty's sub-
 jects,

subjects, and the people of the kingdom of *Tunis*, and dominions thereunto belonging.

Article II.

Ships of either party to enter freely into the ports of the other, paying duty for what they sell.

That the ships of either party shall have a free liberty to enter into any port or river belonging to the dominions of the other, where they shall pay duty only for what they sell; and, for the rest, may freely export it again without molestation; and shall enjoy all other accustomed privileges: and the late exaction, which hath been at the *Goletta* and the *Marine*, shall be reduced to the antient customs in those cases.

Article III.

Ships of Tunis to be furnished with a certificate from the British consul.

That there shall not be any seizure made of any of the ships of either party, either at sea or in port, but they shall pass without any interruption, displaying their colours; and, to prevent any misunderstandings, the ships of *Tunis* shall be furnished with certificates, under the hand and seal of the *British* consul, of their belonging to *Tunis*; which they are to produce on meeting with any *English* ship, on board of which they shall have liberty of sending two men only, peaceably to satisfy themselves of their being *English*, which, as well as any passengers of other nations, whom they may have on board, shall go free, both they and their goods.

English ships, with their passengers, to go free.

Article

Article IV.

That, if any *English* ships receive on board any *English* ships, goods or passengers, belonging to the kingdom of *Tunis*, they shall be bound to defend them and their goods, so far as lieth in their power, and not deliver them to their enemies. And, the better to prevent any unjust demands being made upon the crown of *Great Britain*, and to avoid disputes and differences, which might arise, all goods and merchandise, which shall from henceforward be shipped by the subjects of *Tunis*, either in this port or in any other whatever, on board the ships or vessels belonging to *Great Britain*, shall be first entered in the office of *Cancellaria*, before the *British* consul residing at the respective port, expressing the quantity, quality, and value of the goods so shipped, which the said consul is to manifest in the clearance given to the said ship or vessel, before she departs; to the end that, if any cause of complaint should happen hereafter, there may be no greater claim made on the *British* nation, than by this method shall be proved to be just and reasonable.

English ships, having men or goods on board, belonging to *Tunis*, to defend them.

Goods of the subjects of *Tunis*, shipped on board *English* vessels, to be entered before the consul and certified by him.

Article V.

That, if any of the ships of either party shall, by accident of foul weather or otherwise, be cast away upon any of the coasts belonging to the other, the persons shall be free, and the goods saved, and delivered to the proprietors thereof.

Ships of either party being wrecked, the men to be free, and the goods restored.

Article

Article VI.

The *English* at *Tunis* to have liberty to remove themselves and families.

That the *English*, who do at present, or shall at any time hereafter, inhabit in the city or kingdom of *Tunis*, shall have free liberty, when they please, to transport themselves, with their families and children, although born in the country.

Article X.

Minorca and *Gibraltar* to be reputed part of the *British* dominions, and the inhabitants to enjoy all privileges granted to the *British* nation.

That, whereas the island of *Minorca* in the *Mediterranean* sea, and the city of *Gibraltar* in *Spain*, do now belong to his majesty the king of *Great Britain*, it is hereby agreed and fully concluded, that, from this time forward for ever, the said island of *Minorca* shall be esteemed, (as likewise *Gibraltar*) by the government of *Tunis*, to be, in every respect, part of his *Britannick* majesty's dominions; and the inhabitants thereof shall be looked upon as his majesty's natural born subjects, in the same manner as if they had been born in any other part of *Great Britain*; and they, with their ships and vessels wearing *British* colours, shall be permitted freely to trade and traffick in any part of the kingdom of *Tunis*, and shall pass, without any molestation whatever, either on the seas or elsewhere, in the same manner, and with the same freedom and privileges, which have been stipulated in this and all former treaties, on behalf of the *British* nation and subjects.

Article

Article XI.

The better and more firmly to maintain the good correspondence and friendship, which have been so long and happily established between the crown of *Great Britain* and the government of *Tunis*, it is hereby agreed and concluded by the parties before-mentioned, that none of the ships and vessels belonging to *Tunis*, or the dominions thereof, shall be permitted to cruize or look for prizes of any nature whatever, before, or in sight of, the aforesaid city of *Gibraltar*, or any of the ports in the island of *Minorca*, to hinder or molest any vessels bringing provisions and refreshments for his *Britannick* majesty's troops and garrisons in those places, or to give any disturbance to the trade and commerce thereof: and, if any prize shall be taken by the ships or vessels of *Tunis*, within the space of ten miles of the aforesaid places, she shall be restored without any contradiction.

Ships of *Tunis* not to cruize in sight of *Gibraltar* or *Minorca*.

Prizes, taken within ten miles of the said places, to be restored.

Article XII.

That all the ships of war, belonging to the dominions of either party shall have free liberty to use each others ports for washing, cleaning, or repairing any of their defects, and to buy and ship off any sort of victuals, alive or dead, or any other necessities, at the price the natives buy at in the market, without paying custom to any officer. And whereas

Liberty for all ships of war, on both sides, to use each others ports for repairing, victualing, &c. without paying duty.

his

his *Britannick* majesty's ships of war do frequently assemble and harbour in the port of *Mahon* in the island of *Minorca*, if at any time, they, or his majesty's troops in garrison there, should be in want of provisions, and should send from thence to purchase supplies in any part of the dominions belonging to *Tunis*, they shall be permitted to buy cattle alive or dead, and all other kind of provision, at the prices they are sold in the market, and shall be suffered to carry it off without paying duty to any officer, in the same manner as if his majesty's ships were themselves in the port.

Article XIII.

Englishmen,
taken in ser-
vice on board
the ships of
the enemies
of *Tunis*, to be
made slaves;
but not mer-
chants or
passengers.

That in case any ships of war, belonging to the dominions of *Tunis*, shall take, in any of their enemies ships, any *Englishmen* serving for wages, they are to be made slaves; but, if merchants or passengers, they are to enjoy their liberty and goods free.

Article XIV.

Slaves of *Tu-*
nis, escaping
on board an
English man
of war, to be
free.

That, if any slave of *Tunis* should make his escape from thence, and get on board an *English* man of war, the said slave shall be free; and neither the *English* consul, nor any of his nation, shall in any manner be questioned about the same.

Article

Article XV.

The better to prevent any disputes, which may hereafter arise between the two parties about salutes and publick ceremonies, it is hereby agreed and concluded, that, whenever any flag-officer of *Great Britain* shall arrive in the bay of *Tunis* in any of his majesty's ships of war, there shall be shot off from the castles of the *Goletta*, or other the nearest fortifications belonging to *Tunis*, a number of guns according to custom, as a royal salute to his *British* majesty's colours; and the same number shall be returned in answer thereto by his majesty's ships.

Proper salutes to be paid and returned, on the arrival of a flag-officer on board a *British* ship of war.

Article XVIII.

It is moreover agreed, concluded, and established, that, in case any *British* ship or ships, or any of the subjects of his majesty of *Great Britain*, shall import at the port of *Tunis*, or any port of this kingdom, any warlike stores, as cannon, muskets, pistols, cannon powder, or fine powder, bullets, masts, anchors, cables, pitch, tar, or the like; as also provisions, *viz.* wheat, barley, beans, oats, oil, or the like; for the said kind of merchandise they shall not pay any sort of duty or custom whatever.

British ships, importing military stores or provisions to *Tunis*, not to pay any duty.

Article XIX.

That, in case a war should happen between his *Britannick* majesty and any other state or nation whatever, the ships of *Tunis* shall not in any sort afford assistance to the enemies of his majesty or his subjects.

Ships of *Tunis* not to assist the enemies of *Great Britain*.

Article XXII.

Ships of Gibraltar or Minorca, having proper passes, and being properly manned, to be treated, as English.

That, whereas *Gibraltar* and the island of *Minorca* do belong to his *Britannick* majesty, if at any time any of the cruizers of *Tunis* should meet with any vessels of the said places, under *English* colours, furnished with proper passports, they shall be treated in all respects like other *English* ships, provided, that there is no more than one third part of the ship's company, who are not subjects of his said majesty; for, in such case, they the said strangers shall be deemed as prisoners: but it is allowed to embarque as many merchants or passengers as they see good, be they of what nation soever: and, if at any time a *Tunis* man of war shall take a ship from their enemies, on board of which may happen to be any *English* subjects, they shall be immediately released, with all their goods and merchandise; provided always, that they are furnished with proper passports; and this article is to be observed reciprocally on the parts of the *English*.

Subjects of either party, taken on board the ships of enemies, to be released with their goods, if they have proper passes.

Article XXIII.

Private injuries to be redressed without occasioning a war.

That, if any *British* ships or vessels meet with any of the ships or vessels belonging to the state of *Tunis*, and there should be any injury or offense given by either side, justice, being properly demanded, shall be immediately done, and the aggressor be severely punished, without occasioning any breach or war.

Article

Article XXV.

That new *Mediterranean* passes shall be issued out and given to his said majesty's trading subjects with all convenient speed; and that the time for the continuance of the old passes, for the ships in the *Indies* and remote parts, shall be three years; and, for all other ships and vessels, one year; to commence from the delivery of the counter-tops of the new passes at *Algiers*; of which his majesty's consul here shall give the earliest notice to this state: and it is hereby expressly agreed and declared, that the said new passes shall, during the above-mentioned spaces of time of three years and one year, be of full and sufficient force and effect to protect all ships and vessels of his said majesty's subjects, who shall be provided with the same.

Article XXVI.

That all packets, bearing his *Britannick* majesty's commission, which shall be met by any of the cruizers of *Tunis*, shall be treated with the same respect as his majesty's ships of war; and all due respect shall be paid to his majesty's commission; and both at meeting and parting they shall be treated as friends; and, if any of the cruizers of *Tunis* commit the least fault or violence against them, the captains or raizes so offending shall on their arrival at *Tunis*, and proper complaint being made of them, be most severely punished, without admitting their excuses.

All the preceding articles of this treaty, having been approved of and agreed to, are hereby ratified, renewed, and confirmed, between his most sacred majesty the king of *Great Britain*, and the most illustrious lord *Ali Pascha, Begler-Bey*, and supreme commander of the state of *Tunis*; which let no one presume to infringe or violate.

F I N I S.



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